

# PUBLIC

## LEBOEUF, LAMB, GREENE & MACRAE LLP

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LONDON  
A MULTINATIONAL  
PARTNERSHIP  
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JOHANNESBURG  
(PTY) LTD.  
MOSCOW  
RIYADH  
AFFILIATED OFFICE  
ALMATY  
BEIJING

**ORIGINAL**

December 1, 2006

**BY HAND**

Magalie Roman Salas, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: *Broadwater Energy LLC*, Docket No. CP06-54-000  
*Broadwater Pipeline LLC*, Docket Nos. CP06-55-000 & CP06-56-000

Dear Ms. Salas:

Enclosed for filing in the referenced proceedings are copies of Broadwater Energy LLC's and Broadwater Pipeline LLC's (collectively, "Broadwater") November 27, 2006 Petitions for Grant of Easement in Lands Underwater, submitted to the New York State Office of General Services. This submission consists of this letter and the following two volumes:

**Volume I—Public volume.** Volume I contains public information. Broadwater is providing an original and seven copies of Volume I.

**Volume II—Critical Energy Infrastructure Information ("CEII") volume.** Information in Volume II contains CEII as defined in section 388.113(c)(1) of the Federal Energy Regulatory Commission's ("Commission") regulations, 18 C.F.R. § 388.113(c)(1). Broadwater requests confidential treatment for this material which should not be released to the public. Accordingly, Volume II and the information therein has been marked as "Contains Critical Energy Infrastructure Information - Do Not Release." Questions regarding this request for CEII treatment should be directed to Lawrence G. Acker, LeBoeuf, Lamb, Greene & MacRae, LLP, at 202-986-8000 or the letterhead address. Procedures for obtaining access to CEII may be found at 18 C.F.R. § 388.113; requests for access to CEII should be made to the Commission's CEII Coordinator. Broadwater is providing an original and two copies of Volume II.


FILED  
OFFICE OF THE  
SECRETARY  
2006 DEC -1 P 12:38  
REGULATORY COMMISSION

Magalie Roman Salas, Secretary  
December 1, 2006  
Page 2

Please date-stamp and return to our messenger the additional copy of this letter enclosed for this purpose. Copies of this letter and Volume I will be served on the official service list and on Cooperating Agencies.

Please do not hesitate to contact me with any questions regarding this submission.

Respectfully submitted



Brett A. Snyder

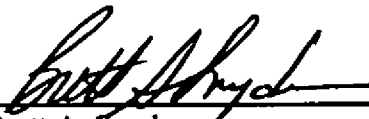
Enclosures

cc: James Martin, FERC (w/Vols. I-II)  
Cooperating Agencies (w/Vol. I)  
ENTRIX, Inc. (w/Vols. I-II)  
Roger Stebbing and Associates (w/Vols. I-II)

### **CERTIFICATE OF SERVICE**

I hereby certify that, I have this day caused to be served by First Class Mail or electronic mail the foregoing document upon the parties to the official service list compiled by the Secretary for this proceeding.

Dated at Washington, DC this 1st day of December, 2006.

A handwritten signature in black ink, appearing to read "Brett A. Snyder", is written over a solid horizontal line.

Brett A. Snyder  
LeBoeuf, Lamb, Greene & MacRae LLP  
1875 Connecticut Avenue, N.W.  
Washington, D.C. 20009-5728  
202-986-8000

## LEBOEUF, LAMB, GREENE & MACRAE LLP

NEW YORK  
WASHINGTON, D.C.  
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E-MAIL ADDRESS: ROBERT.ALESSI@LLGM.COM

WRITER'S DIRECT DIAL: (518) 626-9400

WRITER'S DIRECT FAX: (518) 626-9010

LONDON  
A MULTINATIONAL  
PARTNERSHIP  
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RIYADH  
AFFILIATED OFFICE  
BISHKEK  
ALMATY  
BEIJING

November 27, 2006

### VIA HAND DELIVERY

Mr. Alan C. Bauder  
Submerged Lands and Natural Resources Manager  
New York State Office of General Services  
Bureau of Land Management  
Empire State Plaza, Corning Tower  
Albany, NY 12242

Re: Broadwater Energy LLC  
Case No. LUW 01138

Dear Mr. Bauder:

On behalf of Broadwater Energy LLC and Broadwater Pipeline LLC, we are pleased to provide an original and two (2) copies each of the following:

1. Petition for Grant of Easement in Lands Underwater for Broadwater Energy LLC; and
2. Petition for Grant of Easement in Lands Underwater for Broadwater Pipeline LLC.

If there is additional information that you need, please not hesitate to contact me.

Finally, please be advised that the Broadwater Project will have a change of address as of the end of the month. The new address will be 889 Harrison Avenue, Riverhead, New York 11901; the soon-to-be old address is 30 West Main Street, Suite 301, Riverhead, New York 11901.

Mr. Alan C. Bauder  
November 27, 2006  
Page 2 of 2

Thank you for your assistance in this matter.

Very truly yours,



Robert J. Alessi

RJA:96345

Enclosures

cc: Thomas Pohl, Esq.  
Broadwater Energy LLC  
Broadwater Pipeline LLC

**PUBLIC VOLUME**

**BROADWATER**

**VOLUME I**

**Attachment A**

**Broadwater Energy LLC  
Long Island Sound Project**

**Petition For Grant Of Easement  
In Lands Underwater**

**Attachment B**

**Broadwater Pipeline LLC  
Long Island Sound Project**

**Petition For Grant Of Easement  
In Lands Underwater**

**November 2006**

## **Attachment A**

# **BROADWATER**

**BROADWATER ENERGY LLC  
LONG ISLAND SOUND PROJECT**

**PETITION FOR GRANT OF EASEMENT  
IN LANDS UNDERWATER**

**NOVEMBER 2006**



## Table of Contents

Petition

2

Figure 1 – Proposed  
Broadwater Project Location  
in Long Island Sound

3

Notices of Petition Served on  
Towns of Brookhaven,  
Smithtown and Riverhead

4

Affidavits of Service

5

Figures 2-4 – Photographs of  
Project Area

6

Figure 5 – Point of Separation  
Between Broadwater Energy LLC  
and Broadwater Pipeline LLC

7

Mapping and Descriptions for  
Broadwater Energy LLC and  
Broadwater Pipeline LLC

**FORM OF PETITION PURSUANT TO THE PROVISIONS OF SECTION 3,  
SUBDIVISION 2 OF THE PUBLIC LANDS LAW**

**STATE OF NEW YORK EXECUTIVE DEPARTMENT  
OFFICE OF GENERAL SERVICE**

---

In the Matter of the Petition of Broadwater Energy LLC:

PETITION

For a grant of easement in lands under the waters of of Long Island  
Sound:

situated approximately nine miles off the coast of the  
Town of Riverhead, County of Suffolk:

---

TO: THE COMMISSIONER OF GENERAL SERVICES

DEAR SIR:

The petition of Broadwater Energy LLC ("Broadwater"), having its principal office at 889 Harrison  
Avenue, Riverhead, NY 11901 respectfully alleges:

1. \*\*That he (she, they, it) is (are) owner(s) in fee of real property located at \_\_\_\_\_

and adjacent to Long Island Sound, which real

(name of body of water)

property is described in a deed to the Petitioner(s) dated \_\_\_\_\_

recorded in the County Clerk's (Registers) Office in Liber \_\_\_\_\_ of Deeds at page \_\_\_\_\_

on \_\_\_\_\_. \*\* Not applicable to Broadwater Energy LLC.

(Date)

2. That the proposed use of the easement hereinafter requested and the proposed  
work or structures is:

For the construction and operation of a marine liquefied natural gas terminal (LNG) or floating storage  
and regasification unit (FSRU), located in New York State waters in Long Island Sound, prudently situated  
approximately nine miles off the coast of the Town of Riverhead, Suffolk County. The easement from the  
State of New York will be for the FSRU, measuring approximately 1,215 feet (370 m) in length and  
200 feet (60 m) in width and potentially a safety and security zone to be established by the United States  
Coast Guard and which is presently recommended by the Coast Guard to be a circular area with a 1,210 yard  
radius around the FSRU, measured from the center point of the mooring tower for the FSRU. Please see the  
attached Figure 5 and Broadwater's website at: [www.broadwaterenergy.com](http://www.broadwaterenergy.com) for more information.

3. That the full names addresses of the owners of record of the adjoining shorefront properties are:

There are no adjoining shorefront properties to the proposed easement site, which is approximately 9 miles from shore of Long Island.

4. That there is attached hereto a copy of permit from the U.S. Department of the Army (Corps of Engineers) authorizing such work to be done. (This is not required if the waters under which the lands are located are not federally controlled)

\*\* To be provided.

5. That there are attached hereto a (1) reproducible map made by a licensed surveyor showing the adjacent upland property of the Petitioner(s) along the waterfront, the adjoining properties along the waterfront, and (2) a metes and bounds description of the easement (underwater) area applied for.

6. That here is attached hereto a certified copy of the deed (or deeds) to the upland of the undersigned petitioner(s), or letter of consent from upland owned together with certified copies of deed(s).

\*\* Does not apply.

7. That there are attached hereto affidavits of service of notice on the municipality in which the proposed grant is situate, and on the adjoining owners along the shorefront with copies of the respective notices attached.

8. Broadwater Energy LLC submits this Petition subject to and without waiver of or prejudice to Broadwater's rights as to the applicability or non-applicability of New York State and municipal law, codes and/or regulations to the Broadwater Project. Consistent with Broadwater's other applications and requests for authorizations/approvals, this Petition is filed subject to applicable federal and other law and retained rights and without waiver of or prejudice to such law/rights and the rights of Broadwater.

**WHEREFORE**, Your petitioner respectfully applies, pursuant to the provisions of Section 3, Subdivision 2 of the Public Lands Law, for a grant of easement in lands under the waters of Long Island Sound in the Town of Riverhead in the County of Suffolk and State of New York, for the purpose hereinabove mentioned.

Dated: November 27, 2006



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Robert J. Alessi, Esq., Attorney for Petitioner  
Broadwater Energy LLC  
c/o LeBoeuf, Lamb, Greene & MacRae LLP  
99 Washington Avenue, Suite 2020  
Albany, NY 12210  
(518) 626-9000  
E-Mail Address: [ralessi@llgm.com](mailto:ralessi@llgm.com)

Other Contact: Murray Sondergard, Project Director

STATE OF NEW                    }  
                                      :  
COUNTY OF ALBANY        }       SS.:

On the 27th day of November, in the year 2006, before me, the undersigned, a Notary Public in the for said State, personally appeared Robert J. Alessi personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Carol L. Clark .  
Notary Public, State of New York  
Qualified in County of: *Albany*  
My Commission Expires *Jan. 3, 2010*

CAROL L. CLARK  
Notary Public, State of New York  
Qualified in Albany County  
No. 01CL502288  
Commission Expires Jan. 3, 2010



**Figure 1**  
**Proposed Broadwater Project**  
**Location in Long Island Sound**

**FORM OF NOTICE OF PETITION PURSUANT TO THE PROVISIONS OF SECTION 3,  
SUBDIVISION 2 OF THE PUBLIC LANDS LAW.**

**STATE OF NEW YORK      EXECUTIVE DEPARTMENT  
OFFICE OF GENERAL SERVICES**

---

*In the Matter of the Petition of Broadwater Energy LLC:*

**NOTICE**

**for a grant of easement in lands under the waters of Long Island Sound**

*situated approximately nine miles off the coast of the*

**Town of Riverhead, County of Suffolk**

---

**TO: Town of Brookhaven, Suffolk County, State of New York**

You are hereby notified that it is the intention of the undersigned to apply on the 17th day of, November 2008, to the Commissioner of General Services, Albany, New York, for a grant of easement, pursuant to the provisions of Section 3, Subdivision 2, of the Public Lands Law in under water land of the State of New York, described as follows:

For the construction and operation of a marine liquefied natural gas terminal (LNG) or floating storage and regasification unit (FSRU), located in New York State waters in Long Island Sound, prudently situated approximately nine miles off the coast of the Town of Riverhead, Suffolk County. The easement from the State of New York will be for the FSRU, measuring approximately 1,215 feet (370 m) in length and 200 feet (60 m) in width and potentially a safety and security zone to be established by the United States Coast Guard and which is presently recommended by the Coast Guard to be a circular area with a 1,210 yard radius around the FSRU, measured from the center point of the mooring tower for the FSRU. Please see the attached Figure 5 and Broadwater's website at: [www.broadwaterenergy.com](http://www.broadwaterenergy.com) for more information.

If you believe yourself to be adversely affected by reason of such grant of easement to the undersigned, you should, on or before the above date, file with the Commissioner of General Services, Albany, New York, your written objections and your reason for opposing the granting of such easement.

The adjacent upland of the undersigned is located at: Not applicable.

Dated: October 20, 2008



---

Petitioner: Broadwater Energy LLC  
c/o Robert J. Alessi, Esq.  
LeBoeuf, Lamb, Greene & MacRae LLP  
99 Washington Avenue, Suite 2002  
Albany, NY 12210  
(518) 626-9000

TO: Pam Bethell, Town Clerk  
Town of Brookhaven  
One Independence Hall  
Farmingville, NY 11738

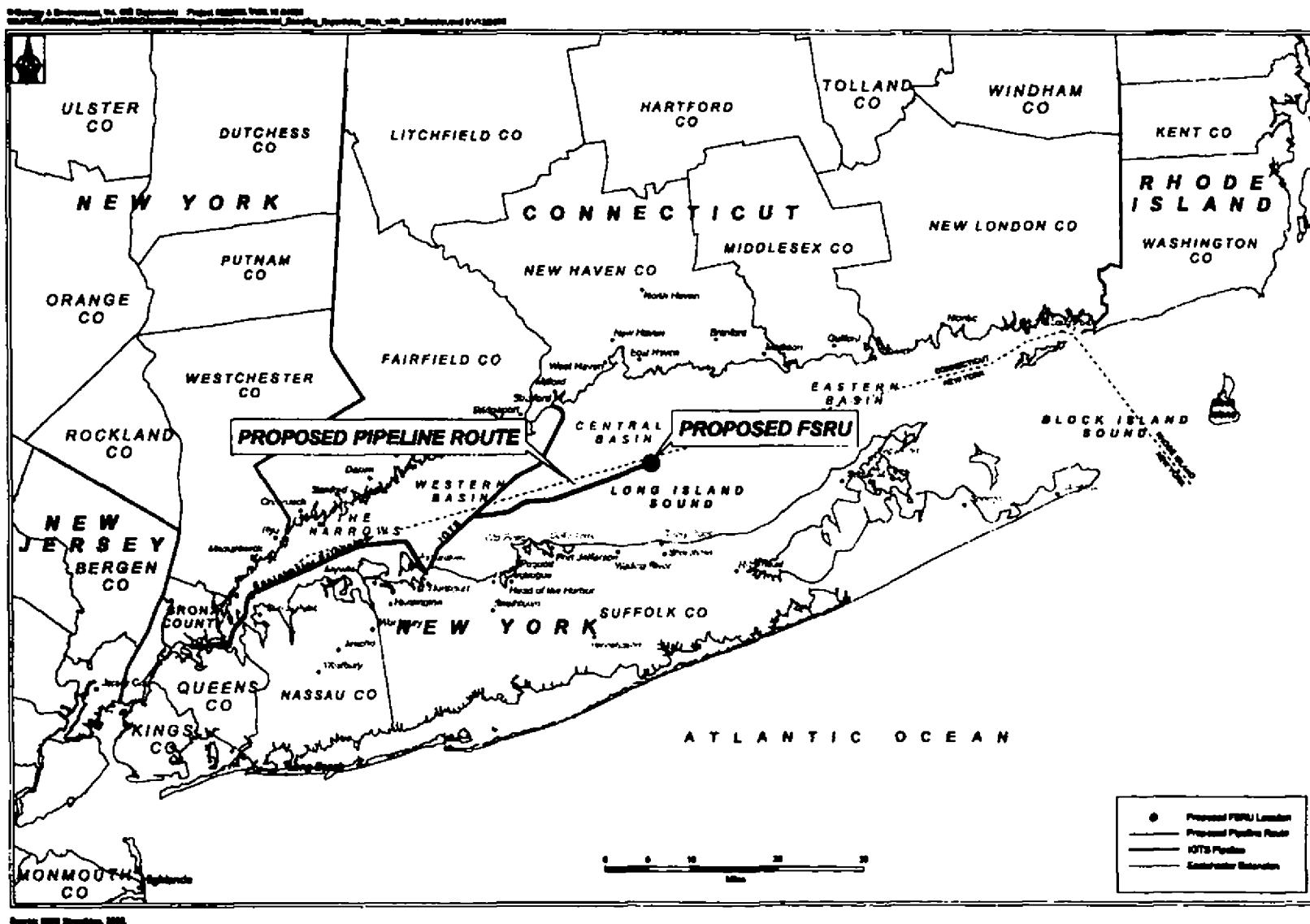


Figure 5  
 Proposed Broadwater Project  
 Location in Long Island Sound



**FORM OF NOTICE OF PETITION PURSUANT TO THE PROVISIONS OF SECTION 3,  
SUBDIVISION 2 OF THE PUBLIC LANDS LAW.**

**STATE OF NEW YORK      EXECUTIVE DEPARTMENT  
OFFICE OF GENERAL SERVICES**

---

**In the Matter of the Petition of Broadwater Energy LLC:**

**NOTICE**

**for a grant of easement in lands under the waters of Long Island Sound**

**situated approximately nine miles off the coast of the**

**Town of Riverhead, County of Suffolk:**

---

**TO: Town of Smithtown, Suffolk County, State of New York**

**You are hereby notified that it is the intention of the undersigned to apply on the 17th day of, November 2006, to the Commissioner of General Services, Albany, New York, for a grant of easement, pursuant to the provisions of Section 3, Subdivision 2, of the Public Lands Law in under water land of the State of New York, described as follows:**

**For the construction and operation of a marine liquefied natural gas terminal (LNG) or floating storage and regasification unit (FSRU), located in New York State waters in Long Island Sound, prudently situated approximately nine miles off the coast of the Town of Riverhead, Suffolk County. The easement from the State of New York will be for the FSRU, measuring approximately 1,215 feet (370 m) in length and 200 feet (60 m) in width and potentially a safety and security zone to be established by the United States Coast Guard and which is presently recommended by the Coast Guard to be a circular area with a 1,210 yard radius around the FSRU measured from the center point of the mooring tower for the FSRU. Please see the attached Figure 5 and Broadwater's website at: [www.broadwaterenergy.com](http://www.broadwaterenergy.com) for more information.**

**If you believe yourself to be adversely affected by reason of such grant of easement to the undersigned, you should, on or before the above date, file with the Commissioner of General Services, Albany, New York, your written objections and your reason for opposing the granting of such easement.**

**The adjacent upland of the undersigned is located at: Not applicable.**

**Dated: October 20, 2006**



---

**Petitioner: Broadwater Energy LLC  
c/o Robert J. Alessi, Esq.  
LeBoeuf, Lamb, Greene & MacRae LLP  
99 Washington Avenue, Suite 2002  
Albany, NY 12210  
(518) 628-9000**

**TO: Vincent Puleo, Town Clerk  
Town of Smithtown  
99 West Main Street  
Smithtown, NY 11787-0646**

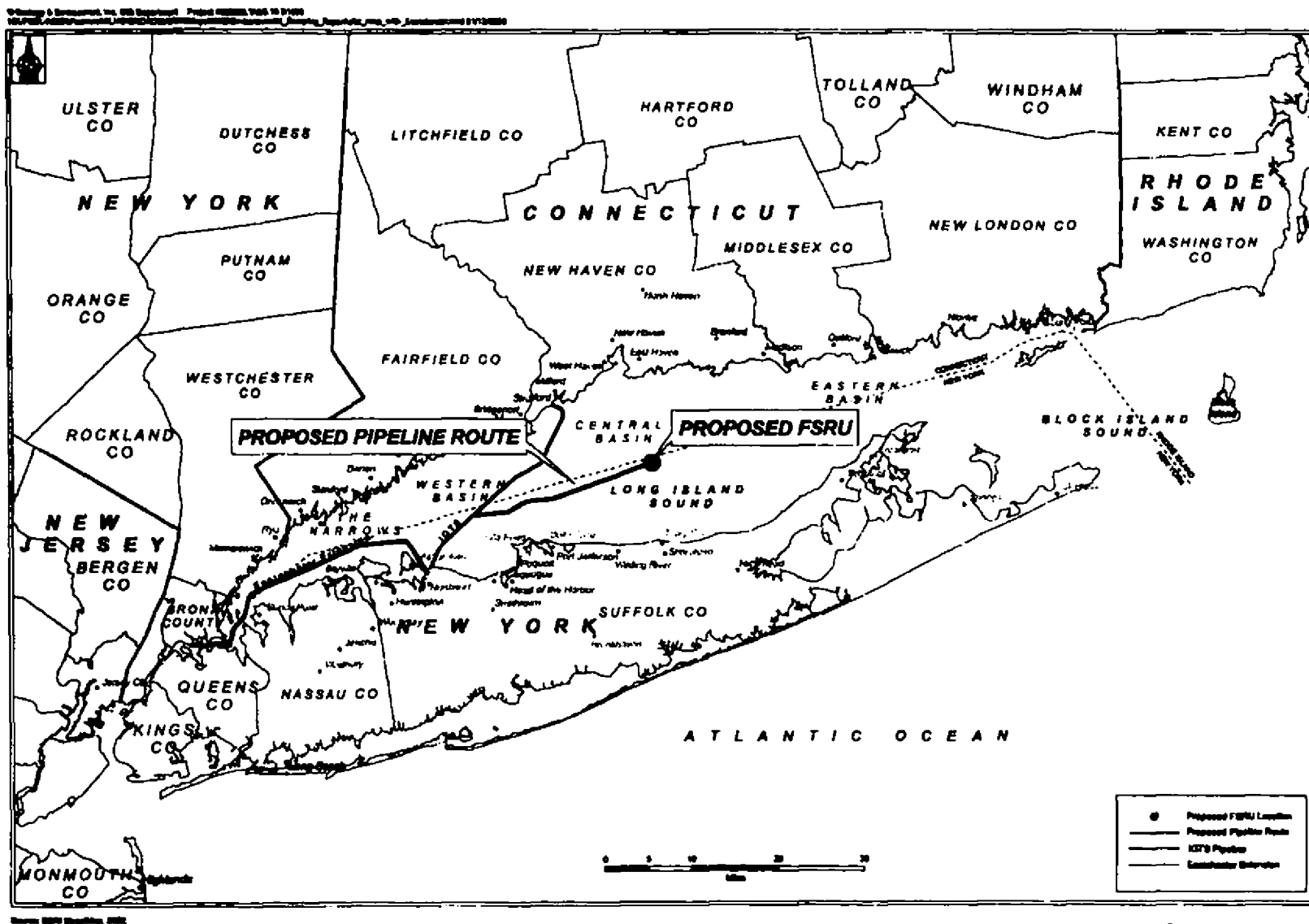


Figure 5  
 Proposed Broadwater Project  
 Location in Long Island Sound

**FORM OF NOTICE OF PETITION PURSUANT TO THE PROVISIONS OF SECTION 3,  
SUBDIVISION 2 OF THE PUBLIC LANDS LAW.**

**STATE OF NEW YORK      EXECUTIVE DEPARTMENT  
OFFICE OF GENERAL SERVICES**

---

**In the Matter of the Petition of Broadwater Energy LLC:**

**NOTICE**

**for a grant of easement in lands under the waters of Long Island Sound  
situated approximately nine miles off the coast of the  
Town of Riverhead, County of Suffolk**

---

**TO: Town of Riverhead, Suffolk County, State of New York**

**You are hereby notified that it is the intention of the undersigned to apply on the 17th day of,  
November 2006, to the Commissioner of General Services, Albany, New York, for a grant of easement,  
pursuant to the provisions of Section 3, Subdivision 2, of the Public Lands Law in under water land of the State  
of New York, described as follows:**

**For the construction and operation of a marine liquefied natural gas terminal (LNG) or floating storage and  
regasification unit (FSRU), located in New York State waters in Long Island Sound, prudently situated  
approximately nine miles off the coast of the Town of Riverhead, Suffolk County. The easement from the  
State of New York will be for the FSRU, measuring approximately 1,215 feet (370 m) in length and  
200 feet (60 m) in width and potentially a safety and security zone to be established by the United States  
Coast Guard and which is presently recommended by the Coast Guard to be a circular area with a  
1,210 yard radius around the FSRU measured from the center point of the mooring tower for the FSRU.  
Please see the attached Figure 5 and Broadwater's website at: [www.broadwaterenergy.com](http://www.broadwaterenergy.com)  
for more information.**

**If you believe yourself to be adversely affected by reason of such grant of easement to the undersigned, you  
should, on or before the above date, file with the Commissioner of General Services, Albany, New York, your  
written objections and your reason for opposing the granting of such easement.**

**The adjacent upland of the undersigned is located at: Not applicable.**

**Dated: October 20, 2006**



---

**Petitioner: Broadwater Energy LLC  
c/o Robert J. Alessi, Esq.  
LeBoeuf, Lamb, Greene & MacRae LLP  
99 Washington Avenue, Suite 2002  
Albany, NY 12210  
(518) 626-9000**

**TO: Barbara Grattan, Town Clerk  
Town of Riverhead  
200 Howell Avenue  
Riverhead, NY 11901**



BW010450

**AFFIDAVIT OF SERVICE OF AN OWNER OF ADJOINING LANDS PURSUANT  
NEW YORK STATE OFFICE OF GENERAL SERVICES**

Application of Broadwater Energy LLC  
:  
:  
for use of land under the waters of Long Island Sound  
:  
situated approximately nine miles off the coast of the  
:  
of the Town of Riverhead  
:  
County of Suffolk  
:  
:

**AFFIDAVIT OF SERVICE  
OF  
NOTICE OF APPLICATION**

(To be completed by the person  
serving the Notice of Application)

STATE OF NEW YORK, COUNTY OF Suffolk Shawn Hubbard  
being duly sworn, deposes and says; deponent is over 18 years of age and resides at 309 Fanning Blvd  
Riverhead, N.Y. 11901. That on 10/24, 2006 at  
3:00PM deponent served the Notice of Application on Town of Brookhaven  
personally known to the deponent to be the owner(s) of record of the waterfront land adjoining the land of the applicant  
and the area applied for, as follows:

- INDIVIDUAL  
1. ☐ by delivering a true copy to said owner(s) personally; deponent knew the person so served to be the owner(s) described in said record.
- CORPORATION  
2. ☒ a Municipal corporation, by delivering thereat a true copy to Tom Rethel personally, deponent knew said corporation so served to be said corporate owner(s) and knew said individual to be the Principal Clerk thereof.
- SUITABLE AGE PERSON  
3. ☐ by delivering thereat a true copy to \_\_\_\_\_ a person of suitable age and discretion. Said premises is owner(s) actual place of business, dwelling place, usual place of abode within the State.

If the owner(s) cannot be personally served within this State after making diligent efforts to do so, then service methods 4 and 5 may be used.

- AFFIXING TO DOOR, ETC.  
4. ☐ by affixing a true copy to the door of said premises, which is owner(s) actual place of business, dwelling place, usual place of abode within the State.

AND

- MAILING TO RESIDENCE OR BUSINESS  
5. ☐ EITHER deponent enclosed a copy of same in a postpaid envelope properly addressed to owner(s) at owner(s) last known residence, as shown on local tax rolls at \_\_\_\_\_ and deposited said envelope (certified mail) in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State OR deponent enclosed a copy of same in a postpaid envelope addressed to owner(s) at owner's actual place of business, at \_\_\_\_\_ and deposited said envelope (certified mail) in an official depository under the care and custody of the U.S. Postal Service within New York State.

Sworn to before me this 1st  
day of November 20 06  
Andrea Molody  
Notary Public

Shawn Hubbard  
Applicant signature

Shawn Hubbard  
Print or type name beneath signature

ANDREA MOLODY  
Notary Public, State of New York  
1/7/03 page 5 of 9 No. 01MOG-37156  
Qualified in Suffolk County.  
Commission Expires Feb. 14, 2010

**AFFIDAVIT OF SERVICE OF AN OWNER OF ADJOINING LANDS PURSUANT  
NEW YORK STATE OFFICE OF GENERAL SERVICES**

Application of Broadwater Energy LLC  
:  
:  
for use of land under the waters of Long Island Sound  
situated approximately nine miles off the coast of the  
of the Town of Riverhead  
County of Suffolk  
:  
:  
:

**AFFIDAVIT OF SERVICE  
OF  
NOTICE OF APPLICATION**

(To be completed by the person  
serving the Notice of Application)

STATE OF NEW YORK, COUNTY OF Suffolk Howard Ettinger  
being duly sworn, deposes and says: deponent is over 18 years of age and resides at 309 Fanning Blvd,  
Riverhead, N.Y. 11901. That on 10/24, 2006 at  
11:35 AM deponent served the Notice of Application on Town of Smithtown  
personally to the deponent to be the owner(s) of record of the waterfront land adjoining the land of the applicant  
and the area applied for, as follows:

INDIVIDUAL by delivering a true copy to said owner(s) personally; deponent knew the person so served to be  
1. ☐ the owner(s) described in said record.

CORPORATION a Municipal corporation, by delivering thereto a true copy to  
2. ☒ Barbara Hoffman personally, deponent knew said corporation so served to  
(includes City, Town be said corporate owner(s) and knew said individual to be the Assistant Town  
Village) Clerk thereof.

SUITABLE AGE by delivering thereto a true copy to \_\_\_\_\_ a person of suitable age and  
PERSON discretion. Said premises is owner(s) actual place of business, dwelling place, usual place of  
3. ☐ abode within the State.

If the owner(s) cannot be personally served within this State after making diligent efforts to do so, then  
service methods 4 and 5 may be used.

AFFIXING TO by affixing a true copy to the door of said premises, which is owner(s) actual place of business,  
DOOR, ETC. dwelling place, usual place of abode within the State.

4. ☐

AND

MAILING TO EITHER deponent enclosed a copy of same in a postpaid envelope properly addressed to  
RESIDENCE OR owner(s) at owner(s) last known residence, as shown on local tax rolls at \_\_\_\_\_  
BUSINESS and deposited said envelope (certified mail)  
5. ☐ in an official depository under the exclusive care and custody of the U.S. Postal Service within  
New York State OR deponent enclosed a copy of same in a postpaid envelope addressed to  
owner(s) at owner's actual place of business, at \_\_\_\_\_  
\_\_\_\_\_ and deposited said envelope (certified mail) in an official  
depository under the care and custody of the U.S. Postal Service within New York State.

Sworn to before me this 1st  
day of November 20 06  
Andrea Molody  
Notary Public

Howard Ettinger  
Applicant signature  
Howard Ettinger  
Print or type name beneath signature

1/7/03 page 5 of 9 ANDREA MOLODY  
Notary Public, State of New York  
No. 01A00057166  
Qualified in Suffolk County  
Commission Expires Feb. 14, 2010

# **AFFIDAVIT OF SERVICE OF AN OWNER OF ADJOINING LANDS PURSUANT NEW YORK STATE OFFICE OF GENERAL SERVICES**

Application of Broadwater Energy LLC  
:  
:  
for use of land under the waters of Long Island Sound  
situated approximately nine miles off the coast of the  
of the Town of Riverhead  
County of Suffolk  
:  
:  
:

## **AFFIDAVIT OF SERVICE OF NOTICE OF APPLICATION**

(To be completed by the person  
serving the Notice of Application)

STATE OF NEW YORK, COUNTY OF Suffolk Seth Korin  
being duly sworn, deposes and says: deponent is over 18 years of age and resides at 309-9 Fanning Blvd.,  
Riverhead, N.Y. 11901. That on 10/24 2006 at  
2:31 PM deponent served the Notice of Application on Town of Riverhead  
personally known to the deponent to be the owner(s) of record of the waterfront land adjoining the land of the applicant  
and the area applied for, as follows:

- INDIVIDUAL by delivering a true copy to said owner(s) personally; deponent knew the person so served to be  
1. ☐ the owner(s) described in said record.
- CORPORATION a Municipal corporation, by delivering thereat a true copy to  
2. ☒ Barbara Gratian personally, deponent knew said corporation so served to  
(includes City, Town be said corporate owner(s) and knew said individual to be the Town Clerk  
Village) thereof.
- SUITABLE AGE by delivering thereat a true copy to \_\_\_\_\_ a person of suitable age and  
PERSON discretion. Said premises is owner(s) actual place of business, dwelling place, usual place of  
3. ☐ abode within the State.

If the owner(s) cannot be personally served within this State after making diligent efforts to do so, then  
service methods 4 and 5 may be used.

- AFFIXING TO by affixing a true copy to the door of said premises, which is owner(s) actual place of business,  
DOOR, ETC. dwelling place, usual place of abode within the State.  
4. ☐

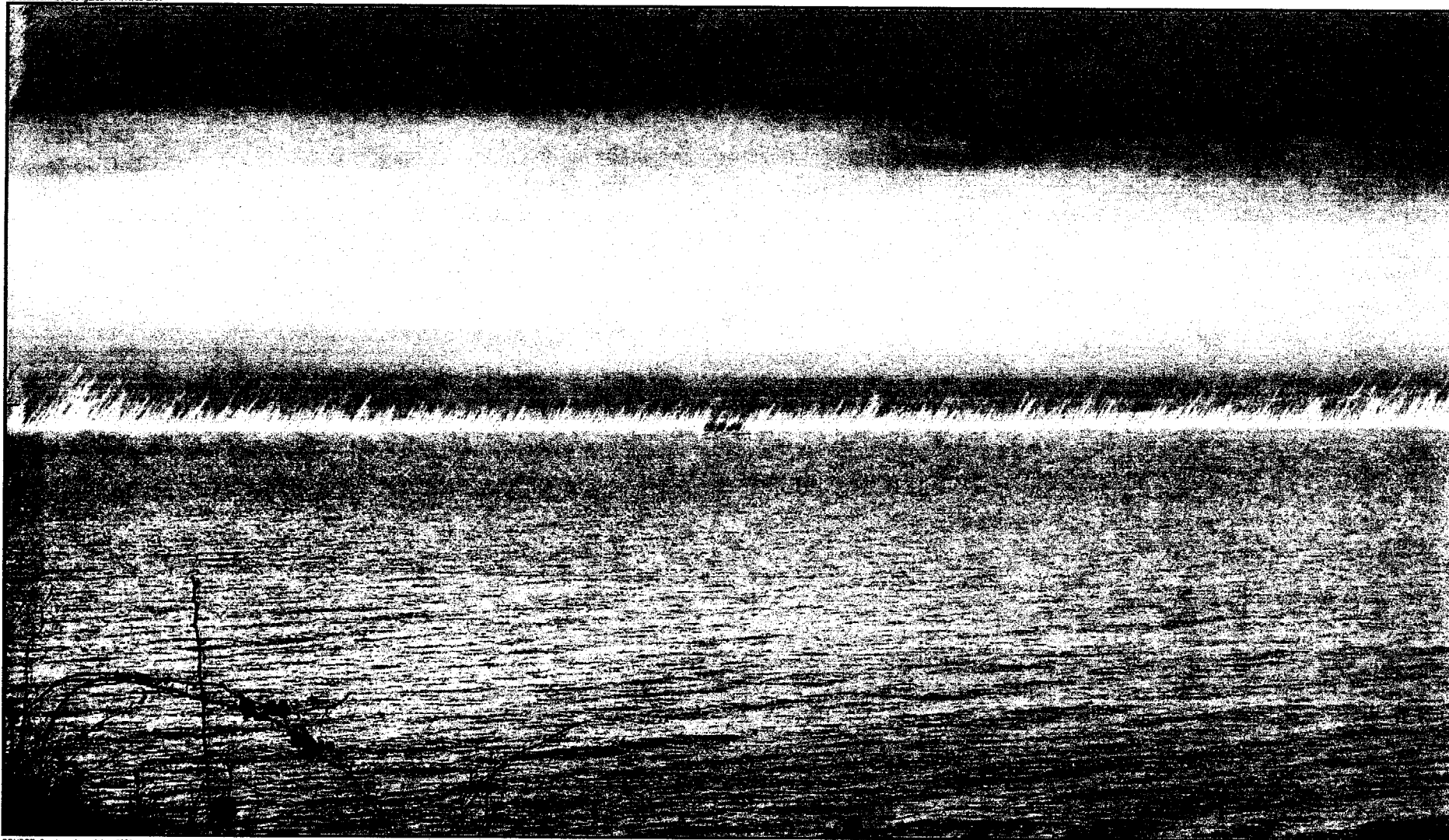
AND

- MAILING TO EITHER deponent enclosed a copy of same in a postpaid envelope properly addressed to  
RESIDENCE OR owner(s) at owner(s) last known residence, as shown on local tax rolls at \_\_\_\_\_  
BUSINESS \_\_\_\_\_ and deposited said envelope (certified mail)  
5. ☐ in an official depository under the exclusive care and custody of the U.S. Postal Service within  
New York State OR deponent enclosed a copy of same in a postpaid envelope addressed to  
owner(s) at owner's actual place of business, at \_\_\_\_\_  
\_\_\_\_\_ and deposited said envelope (certified mail) in an official  
depository under the care and custody of the U.S. Postal Service within New York State.

Sworn to before me this 1st  
day of November 20 06  
Andrea Molody  
Notary Public

[Signature]  
Applicant signature  
Seth Korin  
Print or type name beneath signature

02-002003.TA06.10/Fig2.CDR-11/17/06-GRA



SOURCE: Saratoga Associates, 2006

**BROADWATER**

Figure 2 Photo of Proposed Broadwater Project  
from Town of Riverhead, New York



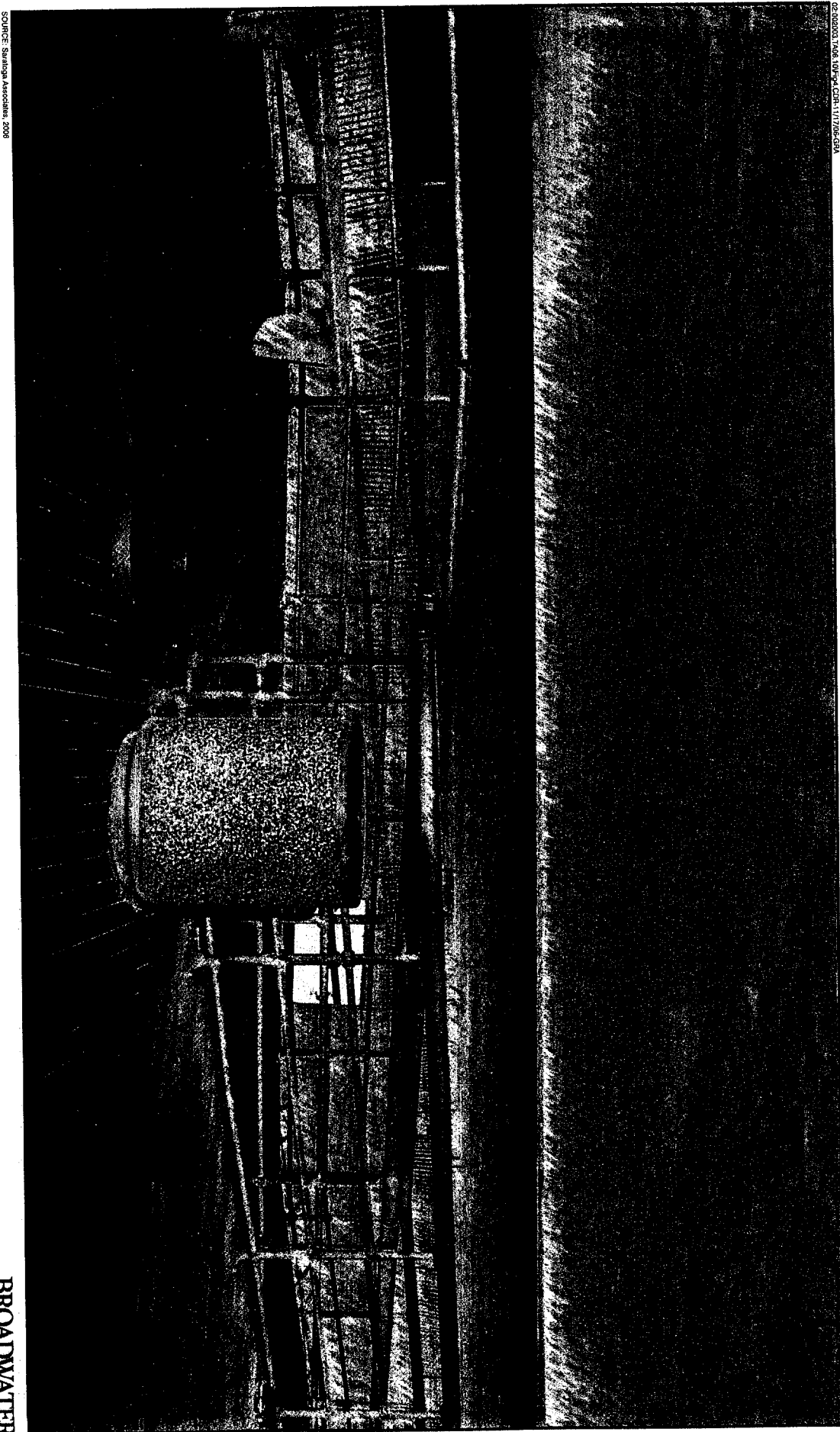
SOURCE: Sanitoga Associates, 2006



02 002003 TA06 10F03 CDR-1/17/06-GMA

Figure 3 Photo of Proposed Broadwater Project from Town of Brookhaven, New York

**BROADWATER**



SOURCE: Savaterra Associates, 2003

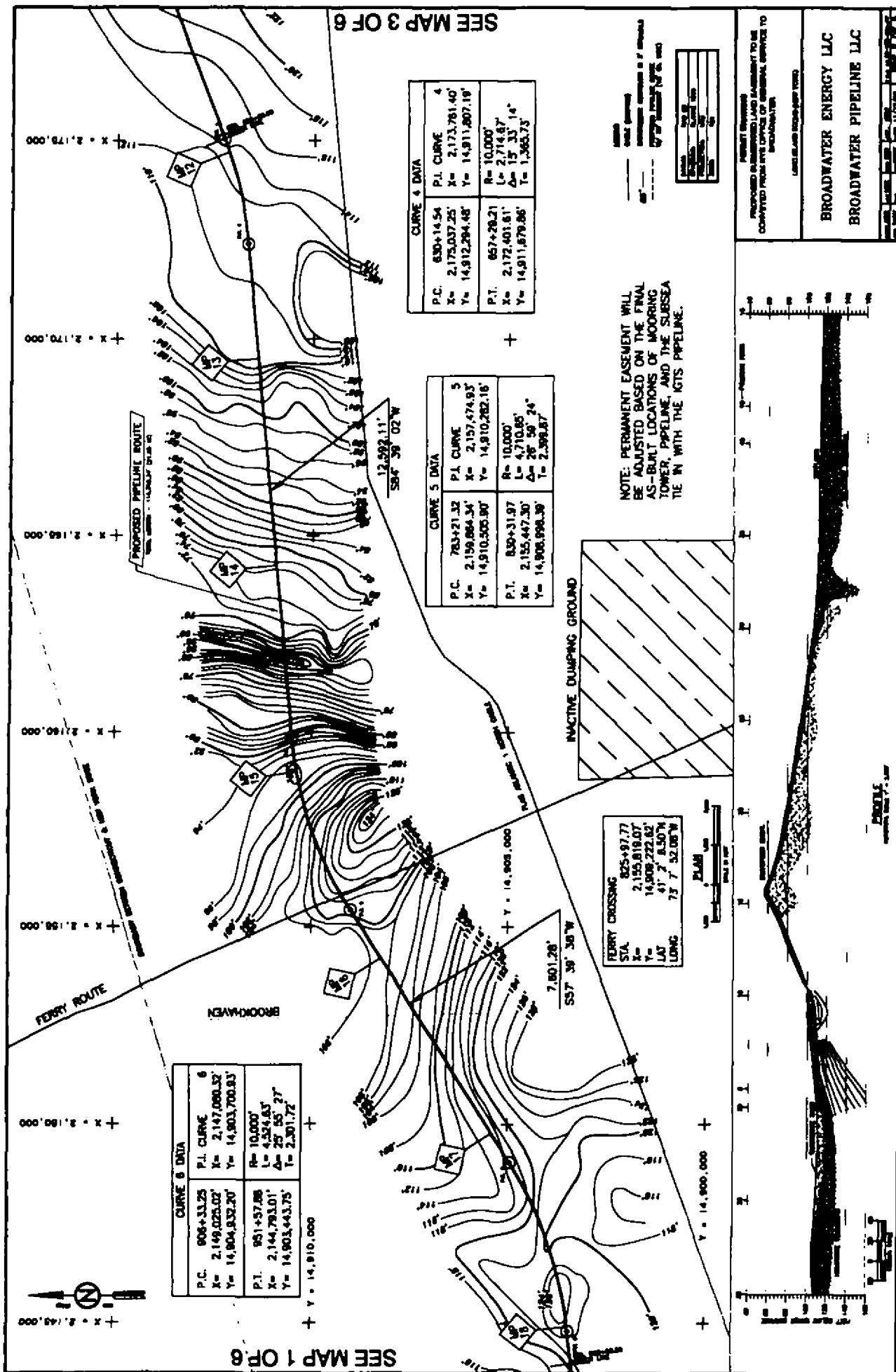
## **BROADWATER**

Figure 4 Photo of Proposed Broadwater Project from the Town Smithtown, New York

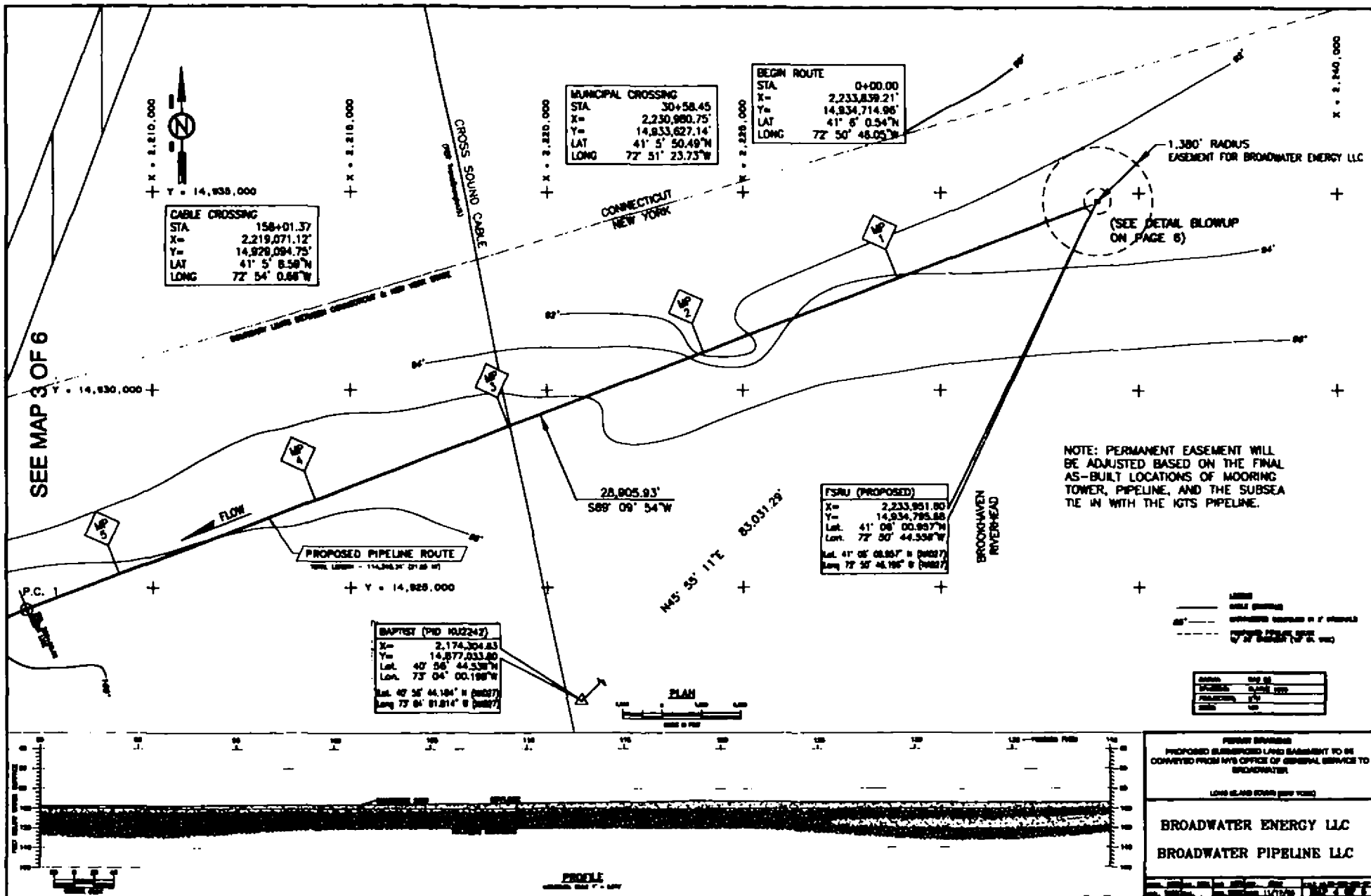
**PUBLIC**

**Critical Energy Infrastructure Information  
Has Been Removed**









# **300' (110) YARDS RADIUS BROADCASTER PIPELINE SUB-SEA HOT TAP**

A CERTAIN CIRCULAR SHAPED AREA, HAVING A RADIUS OF 300' (110) YARDS, LOCATED IN THE LONG ISLAND SOUND, SUFFOLK COUNTY, NEW YORK, DESCRIBED AS THE 300' (110) YARDS RADIUS BROADCASTER PIPELINE LLC EASEMENT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at a United States Coastline Survey (USC&S) monument labeled "BAPTIST" (FID 145842), Suffolk County, New York, Port Jefferson Soundings, having an X Coordinate Value of 2,174,394.88 feet and a Y Coordinate Value of 14,877,693.88 feet, Universal Transverse Mercator Zone 18N, North American Datum of 1983 (NAD83); thence proceed South 67°09'11" West, a distance of 88,891.88 feet to a point marking the Chesapeake of a circular shaped easement, said point having an X Coordinate of 2,388,891.88 feet and a Y Coordinate of 14,884,768.88 feet; thence proceed South 67°09'44" West, a distance of 238.88 feet to a point marking the intersection of the centerline of the 30" Broadwater Pipeline LLC easement and the western edge of the circular shaped easement, herein described as a 300' Radius Broadwater Pipeline LLC Easement, said point also the POINT OF BEGINNING;

Thence leaving said point of beginning proceed in a northerly direction along the circumference of the 300' radius circular easement for a distance of 2,387.46 feet to the POINT OF BEGINNING;

# **300' (110) YARDS RADIUS BROADCASTER PIPELINE SUB-SEA HOT TAP**

A CERTAIN 30 FOOT WIDE STRIP, LOCATED IN THE LONG ISLAND SOUND, SUFFOLK AND NASSAU COUNTIES, NEW YORK, DESCRIBED AS A STATE LANDS EASEMENT LAND EASEMENT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at a United States Coastline Survey (USC&S) monument labeled "BAPTIST" (FID 145842), Suffolk County, New York, Port Jefferson Soundings, having an X Coordinate Value of 2,174,394.88 feet and a Y Coordinate Value of 14,877,693.88 feet, Universal Transverse Mercator Zone 18N, North American Datum of 1983 (NAD83); thence proceed North 67°09'11" West, a distance of 88,891.88 feet to a point marking the beginning and centerline of the 30 foot wide easement, having a bearing of 6°-00, an X Coordinate of 2,388,891.88 feet and a Y Coordinate of 14,884,768.88 feet; thence proceed South 67°09'44" West, a distance of 238.88 feet to Station 1+04.24 and point marking the intersection of the centerline of the 30" Broadwater Pipeline LLC and the western edge of a 300 foot Broadwater Pipeline LLC Easement, said point also the POINT OF BEGINNING;

Thence proceed along said centerline along a tangent, South 67°09'44" West, a distance of 238,888.88 feet to Station 300+00.00 and PC of Curve No. 1, having an X Coordinate 2,388,888.88, a Y Coordinate of 14,884,888.88;

Thence continue along said centerline along a curve to the left, having an internal angle of 67°09'44", a radius distance of 14,888 feet a distance of 1,395.88 feet to Station 300+00.00 and PT of Curve No. 1, having an X Coordinate of 2,388,888.88 and a Y Coordinate of 14,888,888.88;

Thence proceed, South 67°09'44" West, a distance of 2,388.88 feet to Station 300+00.00 and PC of Curve No. 2, having an X Coordinate 2,388,888.88, a Y Coordinate of 14,888,888.88;

Thence proceed along a curve to the right, having an internal angle of 17°09'44", a radius distance of 14,888 feet, a distance of 2,387.21 feet to Station 300+00.00 and PT of Curve No. 2, having an X Coordinate of 2,388,888.88 and a Y Coordinate of 14,888,888.88;

Thence proceed, South 79°29'00" West, a distance of 2,388.14 feet to Station 300+00.00 and PC of Curve No. 3, having an X Coordinate 2,387,888.87, a Y Coordinate of 14,888,784.34;

Thence proceed along a curve to the left, having an internal angle of 67°09'44", a radius distance of 14,888 feet, a distance of 1,395.88 feet to Station 300+00.00 and PT of Curve No. 3, having an X Coordinate of 2,388,888.88 and a Y Coordinate of 14,888,888.88;

Thence proceed, South 67°09'44" West, a distance of 82,847.43 feet to Station 300+00.00 and PC of Curve No. 4, having an X Coordinate 2,174,394.88, a Y Coordinate of 14,877,693.88;

Thence proceed along a curve to the right, having an internal angle of 17°09'44", a radius distance of 14,888 feet, a distance of 2,387.21 feet to Station 300+00.00 and PT of Curve No. 4, having an X Coordinate of 2,172,491.91 and a Y Coordinate of 14,881,888.88;

Thence proceed, South 67°09'44" West, a distance of 12,882.11 feet to Station 300+00.00 and PC of Curve No. 5, having an X Coordinate 2,168,884.34, a Y Coordinate of 14,878,888.88;

Thence proceed along a curve to the left, having an internal angle of 67°09'44", a radius distance of 14,888 feet, a distance of 2,387.21 feet to Station 300+00.00 and PT of Curve No. 5, having an X Coordinate of 2,168,884.34 and a Y Coordinate of 14,888,888.88;

Thence proceed, South 67°09'44" West, a distance of 7,881.28 feet to Station 300+00.00 and PC of Curve No. 6, having an X Coordinate 2,168,884.34, a Y Coordinate of 14,888,888.88;

Thence proceed along a curve to the right, having an internal angle of 67°09'44", a radius distance of 14,888 feet, a distance of 2,387.21 feet to Station 300+00.00 and PT of Curve No. 6, having an X Coordinate of 2,164,788.81 and a Y Coordinate of 14,888,888.88;

Thence proceed, South 67°09'44" West, a distance of 14,884.34 feet to Station 300+00.00 and PT of Curve No. 7, having an X Coordinate 2,164,788.81 and a Y Coordinate of 14,888,888.88;

# **300' (110) YARDS RADIUS BROADCASTER PIPELINE SUB-SEA HOT TAP**

A CERTAIN 300' X 300' RECTANGULAR SHAPED AREA, LOCATED IN THE LONG ISLAND SOUND, NASSAU COUNTY, NEW YORK, DESCRIBED AS THE 300' (110) YARDS RADIUS BROADCASTER PIPELINE LLC EASEMENT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at a United States Coastline Survey (USC&S) monument labeled "BAPTIST" (FID 145842), Suffolk County, New York, Port Jefferson Soundings, having an X Coordinate Value of 2,174,394.88 feet and a Y Coordinate Value of 14,877,693.88 feet, Universal Transverse Mercator Zone 18N, North American Datum of 1983 (NAD83); thence proceed North 67°09'11" West, a distance of 88,891.88 feet to a point marking the end of the centerline of the 30 foot wide easement (Station 1+04+24.24), having an X Coordinate of 2,388,891.88 feet and a Y Coordinate of 14,884,768.88 feet; thence proceed along said centerline North 67°09'44" West, a distance of 48.88 feet to a point marking the intersection of the centerline of the 30" easement and the western edge of the herein described 300' x 300' easement, said point also the POINT OF BEGINNING;

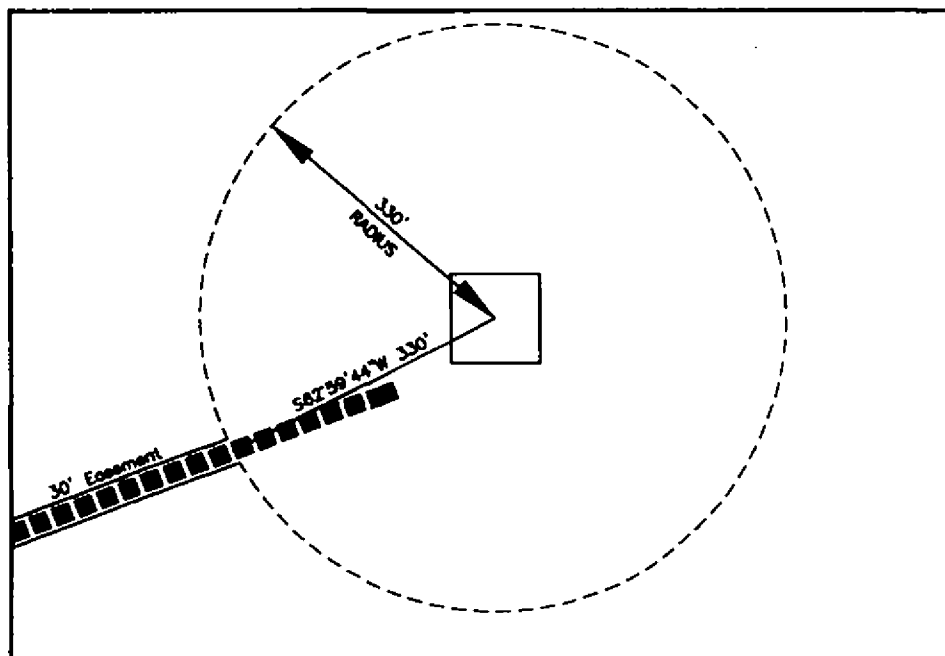
Thence leaving said centerline proceed South 67°09'44" West, a distance of 238.88 feet to the southeast corner of the 300' x 300' easement;

Thence proceed North 67°09'11" West, a distance of 88,891.88 feet to a point on the eastern edge of the Ingois Pipeline Submerged Land Easement (CLAS Map No. 1078 dated July 2002) and northeast corner of the 300' x 300' easement;

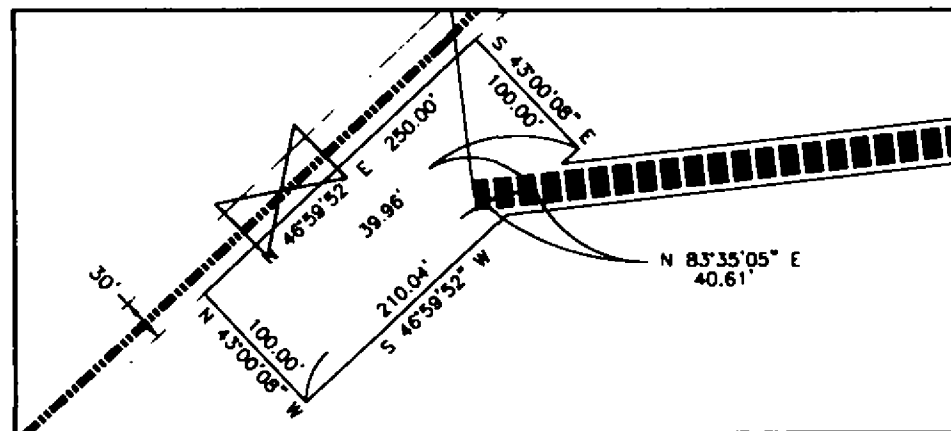
Thence proceed along the eastern edge of the Ingois Pipeline Submerged Land Easement, North 67°09'11" West, a distance of 238.88 feet to the northeast corner of the 300' x 300' easement;

Thence leaving said Ingois Pipeline Easement, proceed South 67°09'44" West, a distance of 148.88 feet to the southeast corner of the 300' x 300' easement;

Thence proceed South 67°09'44" West, a distance of 238.88 feet to the POINT OF BEGINNING;



PROPOSED SUBMERGED LAND EASEMENT FOR BROADCASTER PIPELINE LLC



PROPOSED SUBMERGED LAND EASEMENT AT IROQUOIS PIPELINE SUB-SEA HOT TAP

NOTE: PERMANENT EASEMENT WILL BE ADJUSTED BASED ON THE FINAL AS-BUILT LOCATIONS OF MOORING TOWER, PIPELINE, AND THE SUBSEA TIE IN WITH THE IGTS PIPELINE.

DATE	SEP 02
DESIGNED	DAVID L. SPO
PROJECT	IGTS
SCALE	AS SHOWN

PERMIT DRAWING  
PROPOSED SUBMERGED LAND EASEMENT TO BE CONVEYED FROM NY'S OFFICE OF GENERAL SERVICE TO BROADCASTER

LONG ISLAND SOUND NEW YORK

BROADCASTER ENERGY LLC  
BROADCASTER PIPELINE LLC

DATE: 09/02/02 BY: DAVID L. SPO 11/12/02



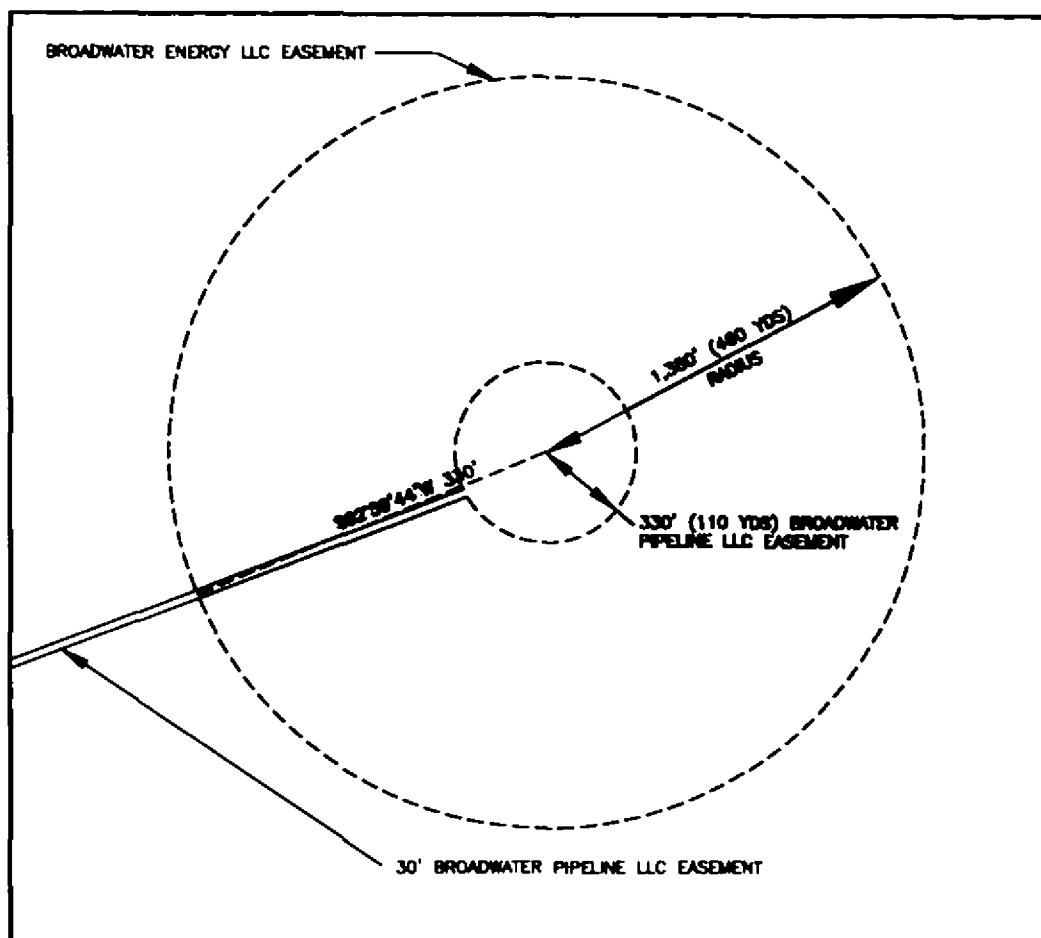
**1,385' AND 330' RADIUS BROADWATER ENERGY LLC EASEMENT**

A CERTAIN CIRCULAR SHAPED AREA, HAVING A RADIUS OF 1,385' (480 YARDS), LOCATED IN THE LONG ISLAND SOUND, SUFFOLK COUNTY, NEW YORK, DESCRIBED AS THE 1,385' (480 YARDS) RADIUS BROADWATER ENERGY LLC EASEMENT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at a United States Coast and Geodetic Survey (USCGS) monument labeled "5447187" (P20 HUS240), Suffolk County, New York, Port Jefferson Quarter, having an X Coordinate Value of 2,174,304.88 feet and a Y Coordinate Value of 14,577,603.88 feet, (Universal Transverse Mercator Zone 18N, North American Datum of 1983 (NAD83); Thence proceed North 69°50'11" East, a distance of 88,891.35 feet to a point marking the Cornerpoint of a slender shaped easement, said point having a X Coordinate of 2,258,891.89 feet and a Y Coordinate of 14,594,785.88 feet; Thence proceed South 67°41'32" West, a distance of 1,582.88' to a point marking the intersection of the centerline of the 30' Broadwater Pipeline LLC easement and the western edge of the slender shaped easement, hereby described as a 1,385' Radius Broadwater Energy LLC Easement, said point also the POINT OF BEGINNING;

Thence having said point of beginning proceed in a northerly direction along the circumference of the 1,385' radius slender easement for a distance of 4,570.50 feet to the POINT OF BEGINNING;

LESS AND EXCEPT that portion designated as a 330' (110 Yards) Broadwater Pipeline LLC Easement & 30' Broadwater Pipeline LLC Easement



**PROPOSED SUBMERGED LAND EASEMENT FOR BROADWATER ENERGY LLC**

DATE	12/01/2006
PROJECT	CLARK 100
PROJECTED	100
SCALE	1:1

NOTE: PERMANENT EASEMENT WILL BE ADJUSTED BASED ON THE FINAL AS-BUILT LOCATIONS OF MOORING TOWER, PIPELINE, AND THE SUBSEA TIE IN WITH THE IGTS PIPELINE.

PERMIT (DRAWING)  
PROPOSED SUBMERGED LAND EASEMENT TO BE CONVEYED FROM NY'S OFFICE OF GENERAL SERVICE TO BROADWATER

LONG ISLAND SOUND (NEW YORK)

**BROADWATER ENERGY LLC**  
**BROADWATER PIPELINE LLC**

Rev. 10/01/2006 Rev. 10/01/2006 Rev. 10/01/2006 Rev. 10/01/2006 Rev. 10/01/2006 Rev. 10/01/2006

## **Attachment B**

# **BROADWATER**

**BROADWATER PIPELINE LLC  
LONG ISLAND SOUND PROJECT**

**PETITION FOR GRANT OF EASEMENT  
IN LANDS UNDERWATER**

**NOVEMBER 2006**

## Table of Contents

1



Petition

2

Figure 1 – Proposed  
Broadwater Project Location  
in Long Island Sound

3

Notices of Petition Served on  
Towns of Brookhaven,  
Smithtown and Riverhead

4

Affidavits of Service

5

Figure 2 – Point of Separation  
Between Broadwater Energy LLC  
and Broadwater Pipeline LLC

6

Mapping and Descriptions for  
Broadwater Energy LLC and  
Broadwater Pipeline LLC

**FORM OF PETITION PURSUANT TO THE PROVISIONS OF SECTION 3,  
SUBDIVISION 2 OF THE PUBLIC LANDS LAW**

**STATE OF NEW YORK EXECUTIVE DEPARTMENT  
OFFICE OF GENERAL SERVICE**

---

In the Matter of the Petition of Broadwater Pipeline LLC:

PETITION

For a grant of easement in lands under the waters of Long Island Sound:

situated approximately nine miles off the coasts of the towns of Brookhaven, Smithtown and Riverhead, which towns are located in Suffolk County:

---

TO: THE COMMISSIONER OF GENERAL SERVICES

DEAR SIR:

The petition of Broadwater Pipeline LLC ("Broadwater"), having its principal office at 889 Harrison Avenue, Riverhead, NY 11901 respectfully alleges:

1. \*\*That he (she, they, it) is (are) owner(s) in fee of real property located at \_\_\_\_\_ and adjacent to Long Island Sound, which real  
(name of body of water)  
property is described in a deed to the Petitioner(s) dated \_\_\_\_\_  
recorded in the County Clerk's (Registers) Office in Liber \_\_\_\_\_ of Deeds at page \_\_\_\_\_  
on \_\_\_\_\_. \*\* Not applicable to Broadwater Pipeline LLC.  
(Date)

2. That the proposed use of the easement hereinafter requested and the proposed work or structures is:

For a mooring tower and subsea connecting pipeline associated with construction and operation of a marine liquefied natural gas terminal or a floating storage and regasification unit (FSRU) located in New York State waters in Long Island Sound, prudently situated approximately nine miles off the coasts of the towns of Brookhaven, Smithtown and Riverhead, which towns are located in Suffolk County. The FSRU will be secured in place in Long Island Sound via a yoke mooring system attached to the mooring tower which is secured to the seabed. The easement from the State of New York will be for the mooring tower and subsea interconnection pipeline. The mooring tower jacket is a four legged tubular steel structure that will rest on the sea floor occupying a space of 115 ft x 115 ft (35 m x 35 m). The subsea connecting pipeline will include an approximately 21.7 miles long, 30-inch outside diameter gas transmission pipeline from the FSRU to a subsea hot tap interconnection on the existing Iroquois Gas Transmission System pipeline crossing Long Island Sound. Please see the attached Figure 5 and Broadwater's website at: [www.broadwaterenergy.com](http://www.broadwaterenergy.com) for more information.

3. That the full names addresses of the owners of record of the adjoining shorefront properties are:

There are no adjoining shorefront properties to the proposed easement site, which is approximately 9 miles from shore of Long Island.

4. That there is attached hereto a copy of permit from the U.S. Department of the Army (Corps of Engineers) authorizing such work to be done. (This is not required if the waters under which the lands are located are not federally controlled)

\*\* To be provided.

5. That there are attached hereto a (1) reproducible map made by a licensed surveyor showing the adjacent upland property of the Petitioner(s) along the waterfront, the adjoining properties along the waterfront, and (2) a metes and bounds description of the easement (underwater) area applied for.

6. That here is attached hereto a certified copy of the deed (or deeds) to the upland of the undersigned petitioner(s), or letter of consent from upland owned together with certified copies of deed(s).

\*\* Does not apply.

7. That there are attached hereto affidavits of service of notice on the municipality in which the proposed grant is situate, and on the adjoining owners along the shorefront with copies of the respective notices attached.

8. Broadwater Pipeline LLC submits this Petition subject to and without waiver of or prejudice to Broadwater's rights as to the applicability or non-applicability of New York State and municipal law, codes and/or regulations to the Broadwater Project. Consistent with Broadwater's other applications and requests for authorizations/approvals, this Petition is filed subject to applicable federal and other law and retained rights and without waiver of or prejudice to such law/rights and the rights of Broadwater.

**WHEREFORE**, Your petitioner respectfully applies, pursuant to the provisions of Section 3, Subdivision 2 of the Public Lands Law, for a grant of easement in lands under the waters of Long Island Sound in the Town of Riverhead in the County of Suffolk and State of New York, for the purpose hereinabove mentioned.

Dated: November 27, 2006

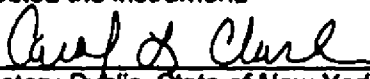


Robert J. Alessi, Esq., Attorney for Petitioner  
Broadwater Pipeline LLC  
c/o LeBoeuf, Lamb, Greene & MacRae LLP  
99 Washington Avenue, Suite 2020  
Albany, NY 12210  
(518) 626-9000  
E-Mail Address: [ralessi@llgm.com](mailto:ralessi@llgm.com)

Other Contact: Murray Sondergard, Project Director

STATE OF NEW YORK     }  
                              :  
COUNTY OF ALBANY    }     SS.:

On the 27th day of November, in the year 2006, before me, the undersigned, a Notary Public in the for said State, personally appeared Robert J. Alessi personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public, State of New York  
Qualified in County of: Albany  
My Commission Expires Jan 3, 2010

CAROL L. CLARK  
Notary Public, State of New York  
Qualified in Albany County  
No. 01CL5022286  
Commission Expires Jan. 3, 2010





BW010471

**FORM OF NOTICE OF PETITION PURSUANT TO THE PROVISIONS OF SECTION 3,  
SUBDIVISION 2 OF THE PUBLIC LANDS LAW.**

**STATE OF NEW YORK      EXECUTIVE DEPARTMENT  
OFFICE OF GENERAL SERVICES**

---

In the Matter of the Petition of Broadwater Pipeline LLC:

**NOTICE**

for a grant of easement in lands under the waters of Long Island Sound:

situated approximately nine miles off the coasts of the  
towns of Brookhaven, Smithtown and Riverhead, which towns are  
located in Suffolk County:

---

**TO: Town of Brookhaven, Suffolk County, State of New York**

You are hereby notified that it is the intention of the undersigned to apply on the 17th day of, November 2006, to the Commissioner of General Services, Albany, New York, for a grant of easement, pursuant to the provisions of Section 3, Subdivision 2, of the Public Lands Law in under water land of the State of New York, described as follows:

For a mooring tower and subsea connecting pipeline associated with construction and operation of a marine liquefied natural gas terminal or a floating storage and regasification unit (FSRU) located in New York State waters in Long Island Sound, prudently situated approximately nine miles off the coasts of the towns of Brookhaven, Smithtown and Riverhead, which towns are located in Suffolk County. The FSRU will be secured in place in Long Island Sound via a yoke mooring system attached to the mooring tower which is secured to the seabed. The easement from the State of New York will be for the mooring tower and subsea interconnection pipeline. The mooring tower jacket is a four legged tubular steel structure that will rest on the sea floor occupying a space of 115 ft x 115 ft (35 m x 35 m). The subsea connecting pipeline will include an approximately 21.7 miles long, 30-inch outside diameter gas transmission pipeline from the FSRU to a subsea hot tap interconnection on the existing Iroquois Gas Transmission System pipeline crossing Long Island Sound. Please see the attached Figure 5 and Broadwater's website at: [www.broadwaterenergy.com](http://www.broadwaterenergy.com) for more information.

If you believe yourself to be adversely affected by reason of such grant of easement to the undersigned, you should, on or before the above date, file with the Commissioner of General Services, Albany, New York, your written objections and your reason for opposing the granting of such easement.

The adjacent upland of the undersigned is located at: Not applicable.

Dated: October 20, 2006



---

Petitioner: Broadwater Pipeline LLC  
c/o Robert J. Alessi, Esq.  
LeBoeuf, Lamb, Greene & MacRae LLP  
99 Washington Avenue, Suite 2002  
Albany, NY 12210  
(518) 626-9000

**TO: Pam Bethell, Town Clerk  
Town of Brookhaven  
One Independence Hall  
Farmingville, NY 11738**

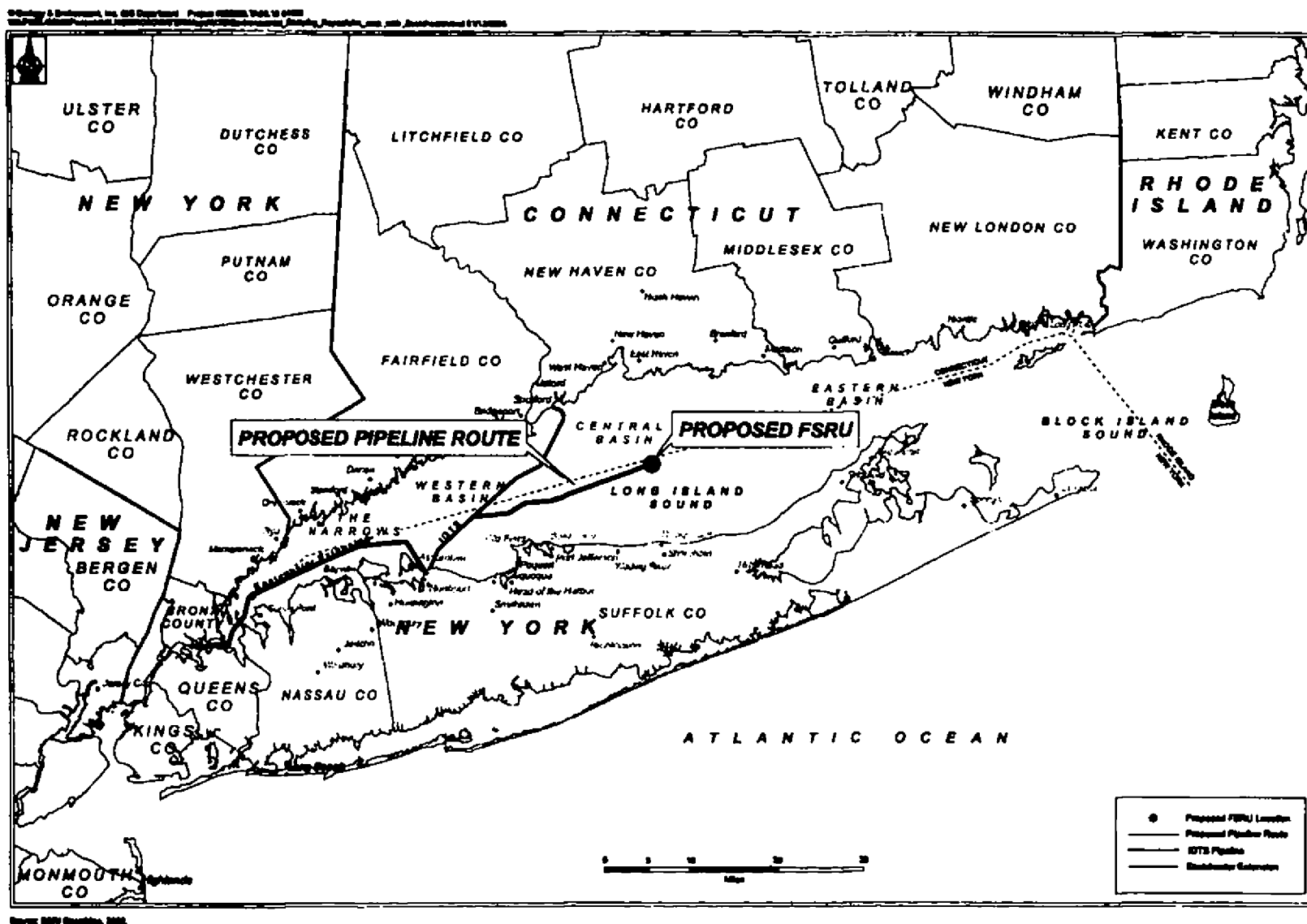


Figure 5  
Proposed Broadwater Project  
Location in Long Island Sound

**FORM OF NOTICE OF PETITION PURSUANT TO THE PROVISIONS OF SECTION 3,  
SUBDIVISION 2 OF THE PUBLIC LANDS LAW.**

**STATE OF NEW YORK      EXECUTIVE DEPARTMENT  
OFFICE OF GENERAL SERVICES**

---

In the Matter of the Petition of Broadwater Pipeline LLC:

**NOTICE**

for a grant of easement in lands under the waters of Long Island Sound:

situated approximately nine miles off the coasts of the  
towns of Brookhaven, Smithtown and Riverhead, which towns are  
located in Suffolk County:

---

TO: Town of Smithtown, Suffolk County, State of New York

You are hereby notified that it is the intention of the undersigned to apply on the 17th day of, November 2006, to the Commissioner of General Services, Albany, New York, for a grant of easement, pursuant to the provisions of Section 3, Subdivision 2, of the Public Lands Law in under water land of the State of New York, described as follows:

For a mooring tower and subsea connecting pipeline associated with construction and operation of a marine liquefied natural gas terminal or a floating storage and regasification unit (FSRU) located in New York State waters in Long Island Sound, prudently situated approximately nine miles off the coasts of the towns of Brookhaven, Smithtown and Riverhead, which towns are located in Suffolk County. The FSRU will be secured in place in Long Island Sound via a yoke mooring system attached to the mooring tower which is secured to the seabed. The easement from the State of New York will be for the mooring tower and subsea interconnection pipeline. The mooring tower jacket is a four legged tubular steel structure that will rest on the sea floor occupying a space of 115 ft x 115 ft (35 m x 35 m). The subsea connecting pipeline will include an approximately 21.7 miles long, 30-inch outside diameter gas transmission pipeline from the FSRU to a subsea hot tap interconnection on the existing Iroquois Gas Transmission System pipeline crossing Long Island Sound. Please see the attached Figure 5 and Broadwater's website at: [www.broadwaterenergy.com](http://www.broadwaterenergy.com) for more information.

If you believe yourself to be adversely affected by reason of such grant of easement to the undersigned, you should, on or before the above date, file with the Commissioner of General Services, Albany, New York, your written objections and your reason for opposing the granting of such easement.

The adjacent upland of the undersigned is located at: Not applicable.

Dated: October 20, 2006



---

Petitioner: Broadwater Pipeline LLC  
c/o Robert J. Alessi, Esq.  
LeBoeuf, Lamb, Greene & MacRae LLP  
99 Washington Avenue, Suite 2002  
Albany, NY 12210  
(518) 628-9000

TO: Victor Puleo, Town Clerk  
Town of Smithtown  
99 West Main Street  
Smithtown, NY 11787-0646



BW010475

**FORM OF NOTICE OF PETITION PURSUANT TO THE PROVISIONS OF SECTION 3,  
SUBDIVISION 2 OF THE PUBLIC LANDS LAW.**

**STATE OF NEW YORK      EXECUTIVE DEPARTMENT  
OFFICE OF GENERAL SERVICES**

---

**In the Matter of the Petition of Broadwater Pipeline LLC:**

**NOTICE**

**for a grant of easement in lands under the waters of Long Island Sound:**

***situated approximately nine miles off the coasts of the  
towns of Brookhaven, Smithtown and Riverhead, which towns are  
located in Suffolk County:***

---

**TO: Town of Riverhead, Suffolk County, State of New York**

**You are hereby notified that it is the intention of the undersigned to apply on the 17th day of, November 2006, to the Commissioner of General Services, Albany, New York, for a grant of easement, pursuant to the provisions of Section 3, Subdivision 2, of the Public Lands Law in under water land of the State of New York, described as follows:**

**For a mooring tower and subsea connecting pipeline associated with construction and operation of a marine liquefied natural gas terminal or a floating storage and regasification unit (FSRU) located in New York State waters in Long Island Sound, prudently situated approximately nine miles off the coasts of the towns of Brookhaven, Smithtown and Riverhead, which towns are located in Suffolk County. The FSRU will be secured in place in Long Island Sound via a yoke mooring system attached to the mooring tower which is secured to the seabed. The easement from the State of New York will be for the mooring tower and subsea interconnection pipeline. The mooring tower jacket is a four legged tubular steel structure that will rest on the sea floor occupying a space of 115 ft x 115 ft (35 m x 35 m). The subsea connecting pipeline will include an approximately 21.7 miles long, 30-inch outside diameter gas transmission pipeline from the FSRU to a subsea hot tap interconnection on the existing Iroquois Gas Transmission System pipeline crossing Long Island Sound. Please see the attached Figure 5 and Broadwater's website at : [www.broadwaterenergy.com](http://www.broadwaterenergy.com) for more information.**

**If you believe yourself to be adversely affected by reason of such grant of easement to the undersigned, you should, on or before the above date, file with the Commissioner of General Services, Albany, New York, your written objections and your reason for opposing the granting of such easement.**

**The adjacent upland of the undersigned is located at: Not applicable.**

**Dated: October 20, 2006**



---

**Petitioner: Broadwater Pipeline LLC  
c/o Robert J. Alessi, Esq.  
LeBoeuf, Lamb, Greene & MacRae LLP  
99 Washington Avenue, Suite 2002  
Albany, NY 12210  
(518) 626-9000**

**TO: Barbara Grattan, Town Clerk  
Town of Riverhead  
200 Howell Avenue  
Riverhead, NY 11901**



**AFFIDAVIT OF SERVICE OF AN OWNER OF ADJOINING LANDS PURSUANT  
NEW YORK STATE OFFICE OF GENERAL SERVICES**

Application of Broadwater Pipeline LLC :  
:  
for use of land under the waters of Long Island Sound :  
situated approximately nine miles off the coasts of the :  
towns of Brookhaven, Smithtown and Riverhead, which towns :  
are located in Suffolk County :

**AFFIDAVIT OF SERVICE  
OF  
NOTICE OF APPLICATION**

(To be completed by the person  
serving the Notice of Application)

STATE OF NEW YORK, COUNTY OF Suffolk Shawn Hubbard  
being duly sworn, deposes and says; deponent is over 18 years of age and resides at 309 Fanning Blvd  
Riverhead, N.Y. 11901. That on 10/24 2006 at  
3:00 PM deponent served the Notice of Application on Town of Brookhaven  
personally known to the deponent to be the owner(s) of record of the waterfront land adjoining the land of the applicant  
and the area applied for, as follows:

INDIVIDUAL by delivering a true copy to said owner(s) personally; deponent knew the person so served to be  
1. ☐ the owner(s) described in said record.

CORPORATION a Municipal corporation, by delivering thereat a true copy to  
2. ☒ Pam Bettel personally, deponent knew said corporation so served to  
(includes City, Town be said corporate owner(s) and knew said individual to be the Principal Clerk  
Village) thereof.

SUITABLE AGE by delivering thereat a true copy to \_\_\_\_\_ a person of suitable age and  
PERSON discretion. Said premises is owner(s) actual place of business, dwelling place, usual place of  
3. ☐ abode within the State.

If the owner(s) cannot be personally served within this State after making diligent efforts to do so, then  
service methods 4 and 5 may be used.

AFFIXING TO by affixing a true copy to the door of said premises, which is owner(s) actual place of business,  
DOOR, ETC. dwelling place, usual place of abode within the State.  
4. ☐

AND

MAILING TO EITHER deponent enclosed a copy of same in a postpaid envelope properly addressed to  
RESIDENCE OR owner(s) at owner(s) last known residence, as shown on local tax rolls at \_\_\_\_\_  
BUSINESS \_\_\_\_\_ and deposited said envelope (certified mail)  
5. ☐ in an official depository under the exclusive care and custody of the U.S. Postal Service within  
New York State OR deponent enclosed a copy of same in a postpaid envelope addressed to  
owner(s) at owner's actual place of business, at \_\_\_\_\_  
\_\_\_\_\_ and deposited said envelope (certified mail) in an official  
depository under the care and custody of the U.S. Postal Service within New York State.

Sworn to before me this 1st  
day of November 20 06  
Andrea Molody  
Notary Public

ANDREA MOLODY  
Notary Public, State of New York  
No. 01MO0037158  
Qualified in Suffolk County  
Commission Expires Feb. 14, 2010

Shawn Hubbard  
Applicant signature

Shawn Hubbard  
Print or type name beneath signature



# AFFIDAVIT OF SERVICE OF AN OWNER OF ADJOINING LANDS PURSUANT NEW YORK STATE OFFICE OF GENERAL SERVICES

Application of Broadwater Pipeline LLC  
:  
:  
for use of land under the waters of Long Island Sound  
situated approximately nine miles off the coasts of the  
towns of Brookhaven, Smithtown and Riverhead, which towns  
are located in Suffolk County  
:

## AFFIDAVIT OF SERVICE OF NOTICE OF APPLICATION

(To be completed by the person  
serving the Notice of Application)

STATE OF NEW YORK, COUNTY OF Suffolk Howard Ettinger  
being duly sworn, deposes and says; deponent is over 18 years of age and resides at 309 Fanning Blvd.,  
Riverhead, N.Y. 11901. That on 10/24/ 2006 at  
11:35 AM deponent served the Notice of Application on Town of Smithtown  
personally known to the deponent to be the owner(s) of record of the waterfront land adjoining the land of the applicant  
and the area applied for, as follows:

INDIVIDUAL by delivering a true copy to said owner(s) personally; deponent knew the person so served to be  
1. ☐ the owner(s) described in said record.

CORPORATION a Municipal corporation, by delivering thereat a true copy to  
2. ☒ Barbara Heitman personally, deponent knew said corporation so served to  
(includes City, Town be said corporate owner(s) and knew said individual to be the Assistant Town  
Village) Clerk thereof.

SUITABLE AGE by delivering thereat a true copy to \_\_\_\_\_ a person of suitable age and  
PERSON discretion. Said premises is owner(s) actual place of business, dwelling place, usual place of  
3. ☐ abode within the State.

If the owner(s) cannot be personally served within this State after making diligent efforts to do so, then  
service methods 4 and 5 may be used.

AFFIXING TO by affixing a true copy to the door of said premises, which is owner(s) actual place of business,  
DOOR, ETC. dwelling place, usual place of abode within the State.  
4. ☐

AND

MAILING TO EITHER deponent enclosed a copy of same in a postpaid envelope properly addressed to  
RESIDENCE OR owner(s) at owner(s) last known residence, as shown on local tax rolls at \_\_\_\_\_  
BUSINESS and deposited said envelope (certified mail)  
5. ☐ in an official depository under the exclusive care and custody of the U.S. Postal Service within  
New York State OR deponent enclosed a copy of same in a postpaid envelope addressed to  
owner(s) at owner's actual place of business, at \_\_\_\_\_  
and deposited said envelope (certified mail) in an official  
depository under the care and custody of the U.S. Postal Service within New York State.

Sworn to before me this 15<sup>th</sup>  
day of NOVEMBER 20 06  
Andrea Molodt  
Notary Public

ANDREA MOLODY  
Notary Public, State of New York  
No. 01M00037136  
Qualified in Suffolk County  
Commission Expires Feb. 14, 2010

1/7/03 page 5 of 9

Howard Ettinger  
Applicant signature

Howard Ettinger  
Print or type name beneath signature

**AFFIDAVIT OF SERVICE OF AN OWNER OF ADJOINING LANDS PURSUANT  
NEW YORK STATE OFFICE OF GENERAL SERVICES**

**AFFIDAVIT OF SERVICE  
OF  
NOTICE OF APPLICATION**

Application of Broadwater Pipeline LLC :  
:  
for use of land under the waters of Long Island Sound :  
situated approximately nine miles off the coasts of the :  
towns of Brookhaven, Smithtown and Riverhead, which towns :  
are located in Suffolk County :

(To be completed by the person  
serving the Notice of Application)

STATE OF NEW YORK, COUNTY OF Suffolk Seth Korin  
being duly sworn, deposes and says; deponent is over 18 years of age and resides at 309-9 Tanning Blvd,  
Riverhead, N.Y. 11901. That on 10/24 2006 at  
2:31 PM deponent served the Notice of Application on Town of Riverhead  
personally known to the deponent to be the owner(s) of record of the waterfront land adjoining the land of the applicant  
and the area applied for, as follows:

INDIVIDUAL  
1. ☐ by delivering a true copy to said owner(s) personally; deponent knew the person so served to be  
the owner(s) described in said record.

CORPORATION  
2. ☒ a Municipal corporation, by delivering thereat a true copy to  
Barbara Brattin personally, deponent knew said corporation so served to  
(includes City, Town be said corporate owner(s) and knew said individual to be the Town Clerk  
Village) thereof.

SUITABLE AGE  
PERSON  
3. ☐ by delivering thereat a true copy to \_\_\_\_\_ a person of suitable age and  
discretion. Said premises is owner(s) actual place of business, dwelling place, usual place of  
abode within the State.

If the owner(s) cannot be personally served within this State after making diligent efforts to do so, then  
service methods 4 and 5 may be used.

AFFIXING TO  
DOOR, ETC.  
4. ☐ by affixing a true copy to the door of said premises, which is owner(s) actual place of business,  
dwelling place, usual place of abode within the State.

AND

MAILING TO  
RESIDENCE OR  
BUSINESS  
5. ☐ EITHER deponent enclosed a copy of same in a postpaid envelope properly addressed to  
owner(s) at owner(s) last known residence, as shown on local tax rolls at \_\_\_\_\_  
and deposited said envelope (certified mail)  
in an official depository under the exclusive care and custody of the U.S. Postal Service within  
New York State OR deponent enclosed a copy of same in a postpaid envelope addressed to  
owner(s) at owner's actual place of business, at \_\_\_\_\_  
and deposited said envelope (certified mail) in an official  
depository under the care and custody of the U.S. Postal Service within New York State.

Sworn to before me this 15<sup>th</sup>  
day of NOVEMBER 20 06  
Andrea Molody  
Notary Public

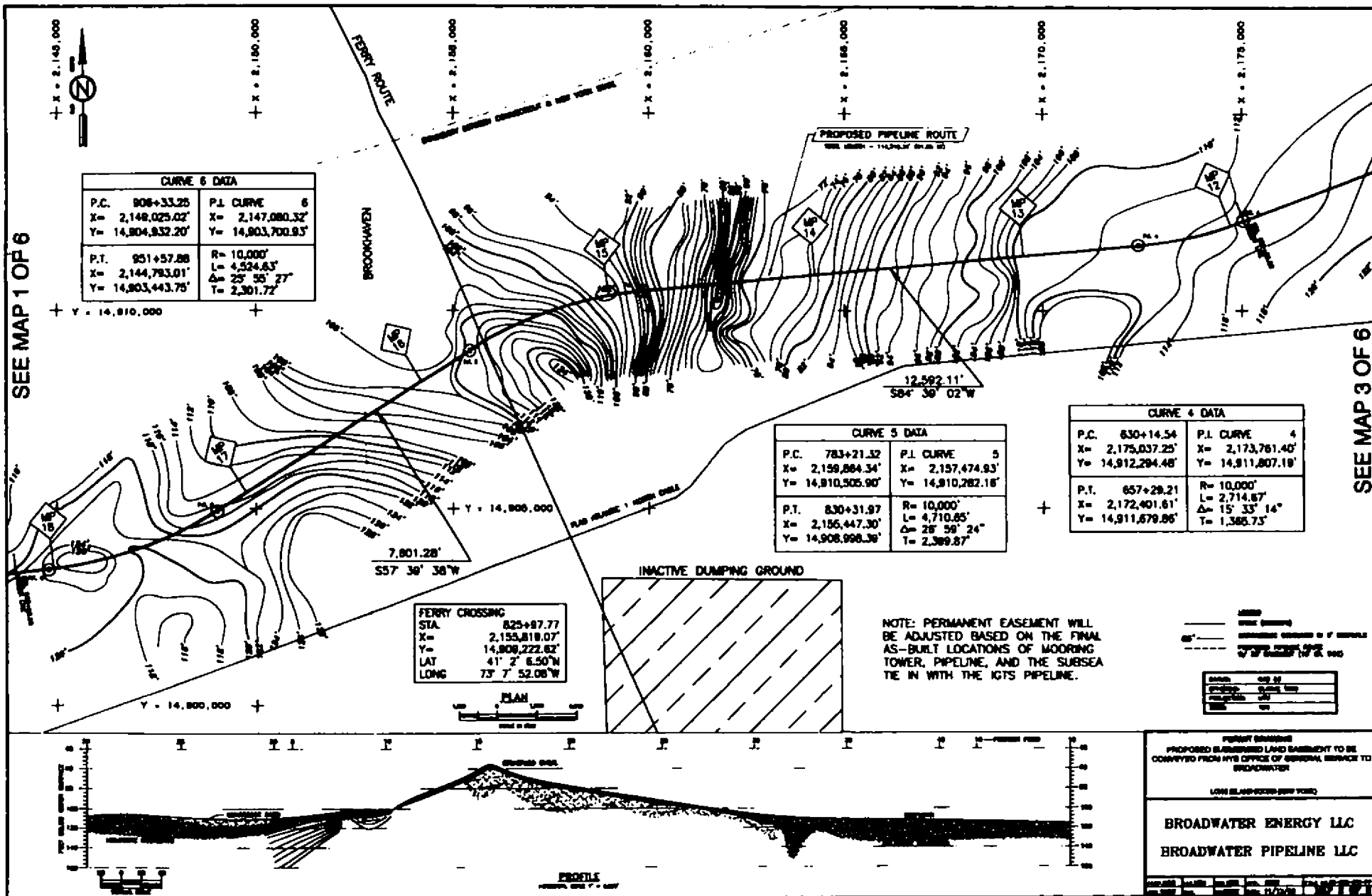
Seth Korin  
Applicant signature  
Seth Korin  
Print or type name beneath signature

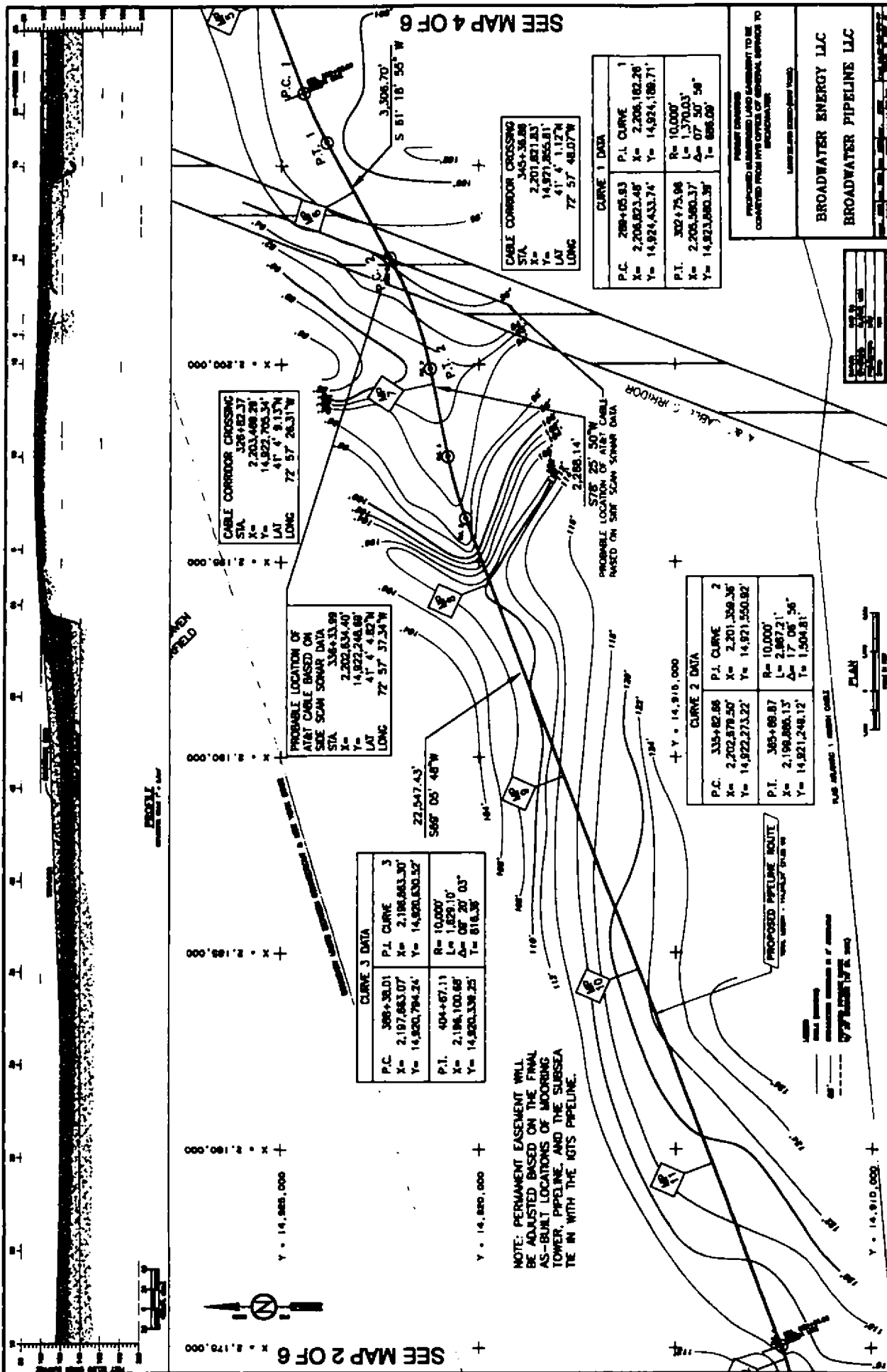
1/7/03 page 5 of 8  
ANDREA MOLODY  
Notary Public, State of New York  
No. 01M06037138  
Qualified in Suffolk County  
Commission Expires Feb. 14, 2010

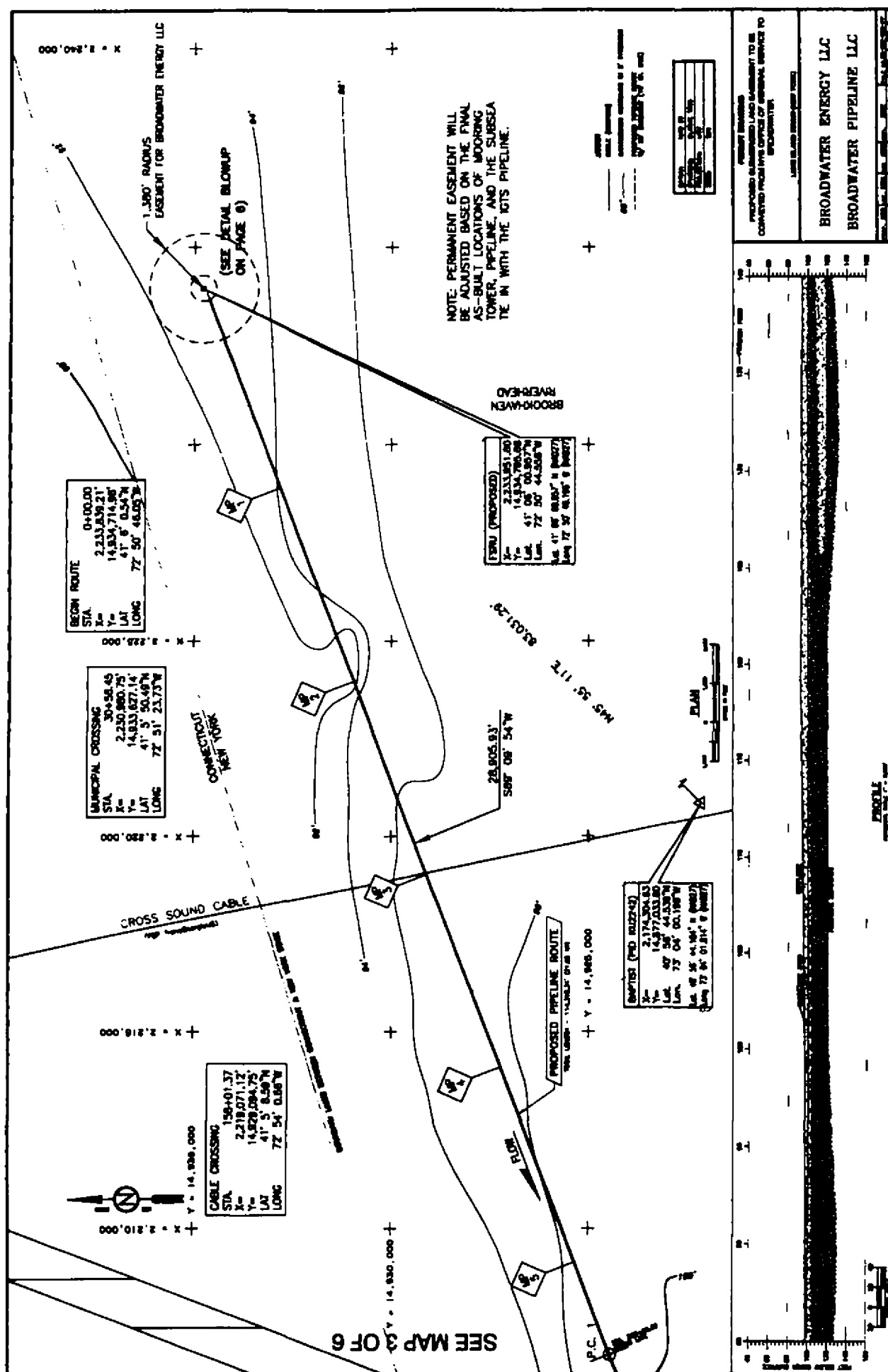
**PUBLIC**

**Critical Energy Infrastructure Information  
Has Been Removed**









# **PROPOSED SUBMERGED LAND EASEMENT FOR BROADWATER PIPELINE LLC**

A CERTAIN CIRCULAR SHAPED AREA, HEREINA A RADIAL OF 330' (110 YARDS), LOCATED IN THE LONG ISLAND SOUND, SUFFOLK COUNTY, NEW YORK, DESCRIBED AS THE 330' (110 YARDS) RADIAL BROADWATER PIPELINE LLC EASEMENT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at a United States Coast and Geodetic Survey (USCGS) monument labeled "BWP100" (P.D. 1985), Suffolk County, New York, Post Addressed Conduits, having an X Coordinate Value of 2,174,894.98 and a Y Coordinate Value of 14,077,888.58, bearing North 00°00'00" East, a distance of 14,077,888.58 feet to a point existing on the circumference of a circular shaped easement, said point having an X Coordinate of 2,350,094.58 and a Y Coordinate of 14,084,788.58; thence proceed South 00°00'00" West, a distance of 14,077,888.58 feet to the center of the 330' Broadwater Pipeline LLC easement and the eastern edge of the circular shaped easement, herein described as a 330' Radial Broadwater Pipeline LLC Easement, said point also the POINT OF BEGINNING;

Thence having said point of beginning proceed in a westerly direction along the circumference of the 330' radial circular easement for a distance of 2,875.48 feet to the POINT OF BEGINNING;

## **LEGAL DESCRIPTION FOR SUBMERGED LAND EASEMENT FOR BROADWATER PIPELINE LLC**

A CERTAIN 30-FOOT WIDE STRIP, LOCATED IN THE LONG ISLAND SOUND, SUFFOLK AND NASSAU COUNTIES, NEW YORK, DESCRIBED AS A STRIP LARGE SUBMERGED LAND EASEMENT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at a United States Coast and Geodetic Survey (USCGS) monument labeled "BWP100" (P.D. 1985), Suffolk County, New York, Post Addressed Conduits, having an X Coordinate Value of 2,174,894.98 and a Y Coordinate Value of 14,077,888.58, bearing North 00°00'00" East, a distance of 14,077,888.58 feet to the center of the 330' Broadwater Pipeline LLC easement and the eastern edge of the circular shaped easement, herein described as a 330' Radial Broadwater Pipeline LLC Easement, said point also the POINT OF BEGINNING;

Thence proceed along said radial easement along a tangent, South 00°00'00" West, a distance of 14,077,888.58 feet to Station 330+00.00 and PC of Curve No. 1, having an X Coordinate of 2,350,094.58, a Y Coordinate of 14,084,788.58;

Thence continue along said easement along a curve to the left, having an internal angle of 0°00'00", a radius distance of 14,077,888.58 feet to Station 330+00.00 and PT of Curve No. 1, having an X Coordinate of 2,350,094.58 and a Y Coordinate of 14,084,788.58;

Thence proceed, South 00°00'00" West, a distance of 2,350.70 feet to Station 330+00.00 and PC of Curve No. 2, having an X Coordinate of 2,350,094.58, a Y Coordinate of 14,084,788.58;

Thence proceed along a curve to the right, having an internal angle of 17°00'00", a radius distance of 14,077,888.58 feet, a distance of 2,357.21 feet to Station 330+00.00 and PT of Curve No. 2, having an X Coordinate of 2,350,094.58 and a Y Coordinate of 14,084,788.58;

Thence proceed, South 00°00'00" West, a distance of 2,350.70 feet to Station 330+00.00 and PC of Curve No. 3, having an X Coordinate of 2,350,094.58, a Y Coordinate of 14,084,788.58;

Thence proceed along a curve to the left, having an internal angle of 0°00'00", a radius distance of 14,077,888.58 feet, a distance of 1,407.79 feet to Station 330+00.00 and PT of Curve No. 3, having an X Coordinate of 2,350,094.58 and a Y Coordinate of 14,084,788.58;

Thence proceed, South 00°00'00" West, a distance of 2,350.70 feet to Station 330+00.00 and PC of Curve No. 4, having an X Coordinate of 2,350,094.58, a Y Coordinate of 14,084,788.58;

Thence proceed along a curve to the right, having an internal angle of 10°00'00", a radius distance of 14,077,888.58 feet, a distance of 2,357.21 feet to Station 330+00.00 and PT of Curve No. 4, having an X Coordinate of 2,350,094.58 and a Y Coordinate of 14,084,788.58;

Thence proceed, South 00°00'00" West, a distance of 14,077,888.58 feet to Station 330+00.00 and PC of Curve No. 5, having an X Coordinate of 2,350,094.58, a Y Coordinate of 14,084,788.58;

Thence proceed along a curve to the left, having an internal angle of 20°00'00", a radius distance of 14,077,888.58 feet, a distance of 2,357.21 feet to Station 330+00.00 and PT of Curve No. 5, having an X Coordinate of 2,350,094.58 and a Y Coordinate of 14,084,788.58;

Thence proceed, South 00°00'00" West, a distance of 2,350.70 feet to Station 330+00.00 and PC of Curve No. 6, having an X Coordinate of 2,350,094.58, a Y Coordinate of 14,084,788.58;

Thence proceed along a curve to the right, having an internal angle of 20°00'00", a radius distance of 14,077,888.58 feet, a distance of 2,357.21 feet to Station 330+00.00 and PT of Curve No. 6, having an X Coordinate of 2,350,094.58 and a Y Coordinate of 14,084,788.58;

Thence proceed, South 00°00'00" West, a distance of 14,077,888.58 feet to Station 330+00.00 and PC of Curve No. 7, having an X Coordinate of 2,350,094.58, a Y Coordinate of 14,084,788.58;

## **330'-00" HOT TAP EASEMENT**

A CERTAIN 100' X 330' RECTANGULAR SHAPED AREA, LOCATED IN THE LONG ISLAND SOUND, NASSAU COUNTY, NEW YORK, DESCRIBED AS THE 330'-00" HOT TAP EASEMENT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at a United States Coast and Geodetic Survey (USCGS) monument labeled "BWP100" (P.D. 1985), Suffolk County, New York, Post Addressed Conduits, having an X Coordinate Value of 2,174,894.98 and a Y Coordinate Value of 14,077,888.58, bearing North 00°00'00" East, a distance of 14,077,888.58 feet to the center of the 330' Broadwater Pipeline LLC easement and the eastern edge of the circular shaped easement, herein described as a 330' Radial Broadwater Pipeline LLC Easement, said point also the POINT OF BEGINNING;

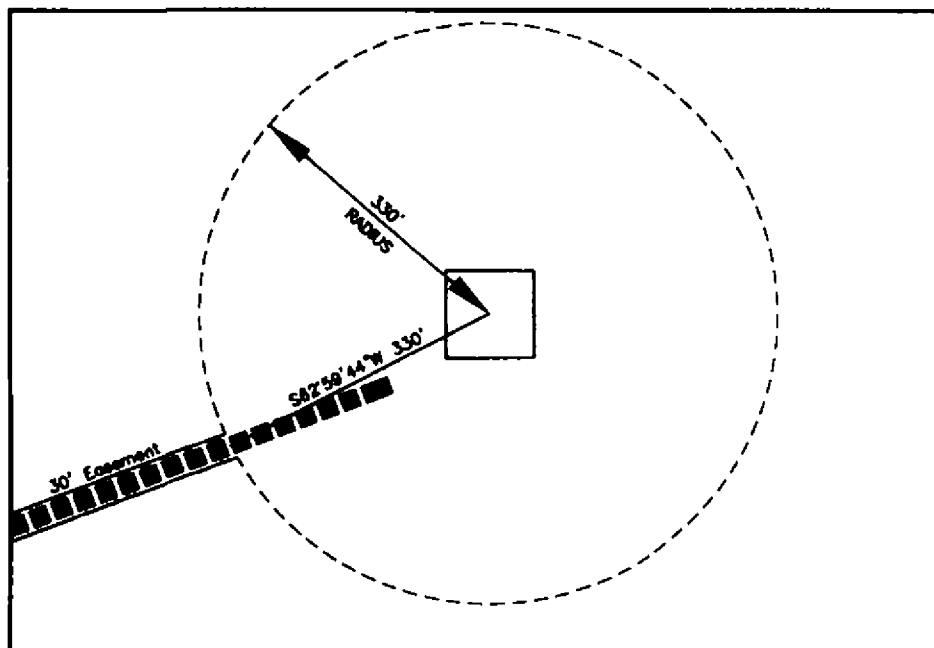
Thence having said point of beginning proceed South 00°00'00" West, a distance of 210.04' to the southeast corner of the 330'-00" HOT TAP EASEMENT;

Thence proceed North 00°00'00" West, a distance of 100.00' to a point on the eastern edge of the proposed Pipeline Submerged Land Easement (P.L.E.), May No. 1012 dated July 2005; and northeast corner of the 330'-00" HOT TAP EASEMENT;

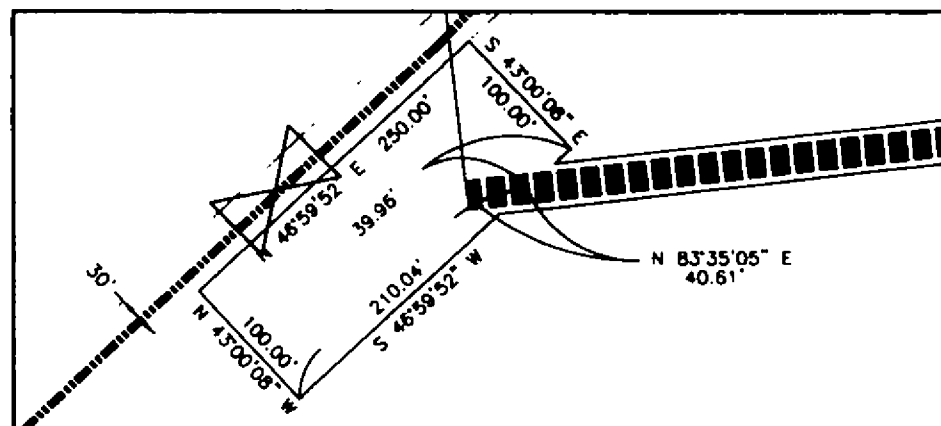
Thence proceed along the eastern edge of the proposed Pipeline Submerged Land Easement, North 00°00'00" East, a distance of 210.04' to the northeast corner of the 330'-00" HOT TAP EASEMENT;

Thence having said point of beginning proceed South 00°00'00" West, a distance of 100.00' to the southeast corner of the 330'-00" HOT TAP EASEMENT;

Thence proceed South 00°00'00" West, a distance of 100.00' to the POINT OF BEGINNING;



PROPOSED SUBMERGED LAND EASEMENT FOR BROADWATER PIPELINE LLC



PROPOSED SUBMERGED LAND EASEMENT AT IROQUOIS PIPELINE SUB-SEA HOT TAP

NOTE: PERMANENT EASEMENT WILL BE ADJUSTED BASED ON THE FINAL AS-BUILT LOCATIONS OF MOORING TOWER, PIPELINE, AND THE SUBSEA TIE IN WITH THE IGTS PIPELINE.

Sheet	100.00
Project	IGTS 1000
Location	IGTS
Date	05/10/05

PERMIT DRAWING  
PROPOSED SUBMERGED LAND EASEMENT TO BE CONVEYED FROM NYS OFFICE OF GENERAL SERVICES TO BROADWATER

LONG ISLAND SOUND-NEW YORK

BROADWATER ENERGY LLC  
BROADWATER PIPELINE LLC



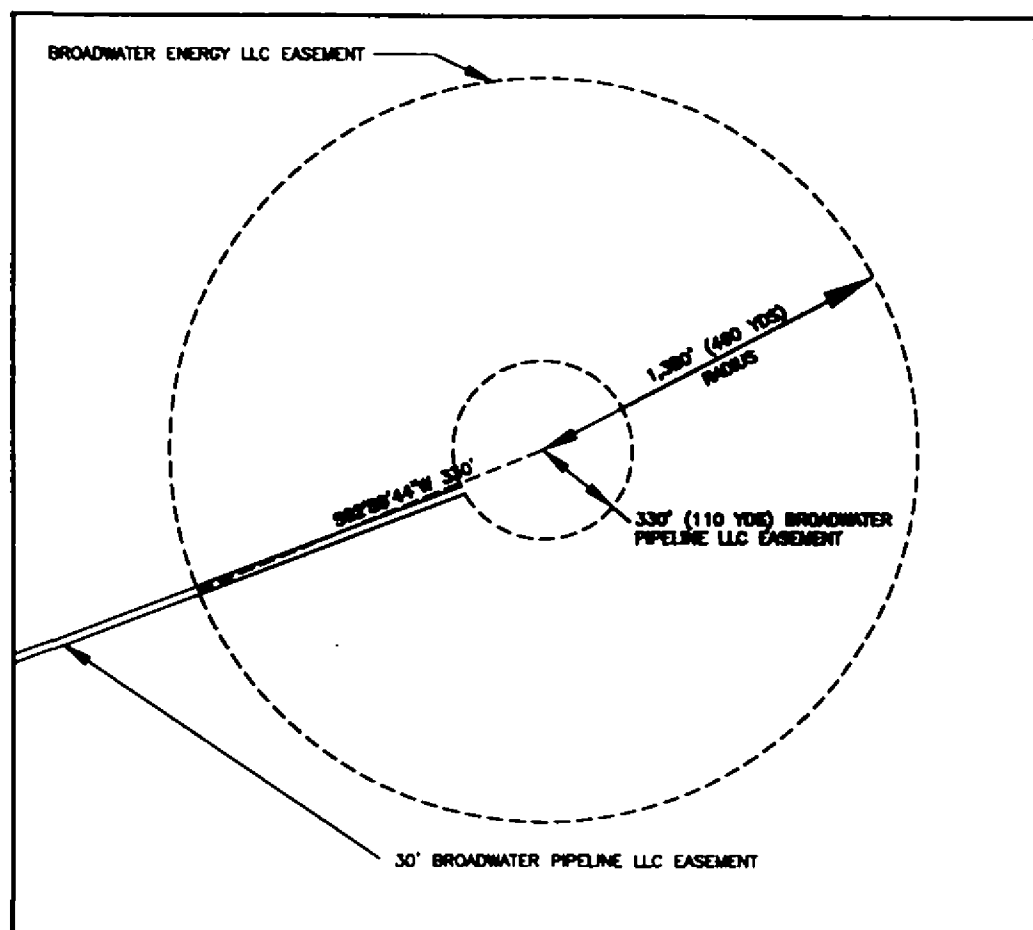
**1,380' AND 330' RADIUS BROADWATER ENERGY LLC EASEMENT**

A CERTAIN CIRCULAR SHAPED AREA, HAVING A RADIUS OF 1,380' (480 YARDS), LOCATED IN THE LONG ISLAND SOUND, SUFFOLK COUNTY, NEW YORK, DESIGNATED AS THE 1,380' (480 YARDS) RADIUS BROADWATER ENERGY LLC EASEMENT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at a United States Coast and Geodetic Survey (USCGS) monument labeled "BAPTIST" (PD 142249), Suffolk County, New York, Port Jefferson Quarter, having an X Coordinate Value of 2,741,304.88 East and a Y Coordinate Value of 14,877,895.89 North, Universal Transverse Mercator Zone 18N, North American Datum of 1983 (NAD83); thence proceed North 45°30'11" East, a distance of 65,884.89 feet to a point marking the Centerpoint of a circular shaped easement, said point having an X Coordinate of 2,888,891.88 East and a Y Coordinate of 14,884,765.88 North; thence proceed South 67°41'38" West, a distance of 1,380.00' to a point marking the intersection of the centerline of the 30" Broadwater Pipeline LLC easement and the western edge of the circular shaped easement, herein designated as a 1,380' Radius Broadwater Energy LLC Easement, said point also the POINT OF BEGINNING;

Thence leaving said point of beginning proceed in a northerly direction along the circumference of the 1,380' radius circular easement for a distance of 8,478.88 feet to the POINT OF BEGINNING;

LESS AND EXCEPT that portion designated as a 330' (110 Yards) Broadwater Pipeline LLC Easement & 30" Broadwater Pipeline LLC Easement



**PROPOSED SUBMERGED LAND EASEMENT FOR BROADWATER ENERGY LLC**

DATE	07-15
DESIGNED BY	SCHEIDT
PROJECT NO.	100
SCALE	AS SHOWN

NOTE: PERMANENT EASEMENT WILL BE ADJUSTED BASED ON THE FINAL AS-BUILT LOCATIONS OF MOORING TOWER, PIPELINE, AND THE SUBSEA TIE IN WITH THE IGTS PIPELINE.

PERMIT CHARGES  
PROPOSED SUBMERGED LAND EASEMENT TO BE CONVEYED FROM NYS OFFICE OF GENERAL SERVICES TO BROADWATER

LONG ISLAND SOUND (NEW YORK)

**BROADWATER ENERGY LLC**  
**BROADWATER PIPELINE LLC**

DATE: 07-15 10:00 AM